



Council

Wednesday, 25 July 2018

2.00 p.m.

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

Rotherham
Metropolitan
Borough Council 

WELCOME TO TODAY'S MEETING

GUIDANCE FOR THE PUBLIC

The Council is composed of 63 Councillors, who are democratically accountable to the residents of their ward.

The Council Meeting is chaired by the Mayor, who will ensure that its business can be carried out efficiently and with regard to respecting the rights and responsibilities of Councillors and the interests of the community. The Mayor is the Borough's first citizen and is treated with respect by the whole Council, as should visitors and member of the public.

All Councillors meet together as the Council. Here Councillors decide the Council's overall policies and set the budget each year. The Council appoints its Leader, Mayor and Deputy Mayor and at its Annual Meeting will appoint Councillors to serve on its committees.

Copies of the agenda and reports are available on the Council's website at www.rotherham.gov.uk. The public can also have access to the reports to be discussed at the meeting by visiting the Reception at the Town Hall. The Reception is open from 8.00 a.m. to 5.30 p.m. each day. You may not be allowed to see some reports because they contain private information and these will be marked accordingly on the agenda.

Members of the public have the right to ask questions or submit petitions to Council meetings. A member of the public may ask one general question in person which must be received in writing to the Chief Executive by 10.00 a.m. on the Friday preceding a Council meeting on the following Wednesday and must not exceed fifty words in length. Questions can be emailed to councilquestions@rotherham.gov.uk

Council meetings are webcast and streamed live or subsequent broadcast via the Council's website. At the start of the meeting the Mayor will confirm if the meeting is being filmed. You would need to confirm your wish not to be filmed to Democratic Services. Recording of the meeting by members of the public is also allowed.

Council meetings are open to the public, but occasionally the Council may have to discuss an item in private. If this occurs you will be asked to leave. If you would like to attend a meeting please report to the Reception at the Town Hall and you will be directed to the relevant meeting room.

FACILITIES

There are public toilets, one of which is designated disabled with full wheelchair access, with full lift access to all floors. Induction loop facilities are also available in the Council Chamber, John Smith Room and Committee Rooms 1 and 2.

Access for people with mobility difficulties can be obtained via the ramp at the main entrance to the Town Hall.

If you have any queries on this agenda, please contact:-

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Date of Publication:- **17 July 2018**

COUNCIL

Wednesday, 25 July 2018 at 2.00 p.m.
Council Chamber, Town Hall, Moorgate Street, Rotherham. S60 2TH

THE MAYOR (Councillor Alan Buckley)
DEPUTY MAYOR (Councillor Jenny Andrews)

CHIEF EXECUTIVE (Sharon Kemp)

MEMBERS OF THE COUNCIL

ANSTON AND WOODSETTS

IRELAND, Jonathan C.
JEPSON, Clive R.
WILSON, Katherine M.

KEPPEL

CLARK, Maggi
CUTTS, Dave
HAGUE, Paul

SITWELL

COWLES, Allen
SHORT Peter, G. J.
TURNER, Julie

BOSTON CASTLE

ALAM, Saghir
MCNEELY, Rose M.
YASSEEN, Taiba K.

MALTBY

BEAUMONT, Christine
PRICE, Richard
RUSHFORTH, Amy L.

SWINTON

CUSWORTH, Victoria
SANSOME, Stuart
WYATT, Kenneth J.

BRINSWORTH AND CATCLIFFE

BUCKLEY, Alan
CARTER, Adam
SIMPSON, Nigel G.

RAWMARSH

BIRD, Robert
MARRIOTT Sandra
SHEPPARD, David R.

VALLEY

ALBISTON, Kerry
REEDER, Kathleen
SENIOR, Jayne E.

DINNINGTON

MALLINDER, Jeanette M.
TWEED, Simon A.
VJESTICA, John

ROTHER VALE

ALLCOCK, Leon
BROOKES, Amy C.
WALSH, Robert J.

WALES

BECK, Dominic
WATSON, Gordon
WHYSALL, Jennifer

HELLABY

ANDREWS, Jennifer A.
CUTTS, Brian
TURNER, R. A. John

ROTHERHAM EAST

COOKSEY, Wendy
FENWICK-GREEN Deborah
KHAN, Tajamal

WATH

ATKIN, Alan
ELLIOT, Jayne C.
EVANS, Simon

HOLDERNESS

ELLIOTT, Michael S.
PITCHLEY, Lyndsay
TAYLOR, Robert P.

ROTHERHAM WEST

JARVIS, Patricia A.
JONES, Ian P.
KEENAN, Eve.

WICKERSLEY

ELLIS, Susan
HODDINOTT, Emma
READ, Chris

HOOBER

LELLIOTT, Denise
ROCHE, David J.
STEELE, Brian

SILVERWOOD

MARLES, Steven
NAPPER, Alan D.
RUSSELL, Gwendoline A.

WINGFIELD

ALLEN, Sarah A.
ELLIOTT, Robert W.
WILLIAMS, John

Council Meeting Agenda

Time and Date:-

Wednesday, 25 July 2018 at 2.00 p.m.

Venue:-

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

1. ANNOUNCEMENTS

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

2. APOLOGIES FOR ABSENCE

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

3. COMMUNICATIONS

Any communication received by the Mayor or Chief Executive which relates to a recommendation of the Cabinet or a committee which was received after the relevant meeting.

4. MINUTES OF THE PREVIOUS COUNCIL MEETING (Pages 1 - 40)

To receive the record of proceedings of the ordinary meeting of the Council held on 27th June, 2018 and to approve the accuracy thereof.

5. PETITIONS

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

6. DECLARATIONS OF INTEREST

To invite Councillors to declare any disclosable pecuniary interests or personal interests they may have in any matter which is to be considered at this meeting, to confirm the nature of those interests and whether they intend to leave the meeting for the consideration of the item.

7. PUBLIC QUESTIONS

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

8. EXCLUSION OF THE PRESS AND PUBLIC

Should it be necessary, in the opinion of the Mayor, to consider excluding the press and public from the meeting in relation to any items of urgent business on the grounds that private information is likely to be divulged.

There are no such items at the time of preparing this agenda.

9. LEADER OF THE COUNCIL'S STATEMENT

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

10. MINUTES OF THE CABINET AND COMMISSIONERS' DECISION MAKING MEETING (Pages 41 - 53)

To note the minutes of the Cabinet and Commissioners' Decision Making Meeting held on 9 July 2018.

11. RECOMMENDATION FROM CABINET - ALLOTMENTS SELF-MANAGEMENT (Pages 54 - 95)

To consider recommendations from the Cabinet regarding the future vision for the management of allotments in the borough.

12. PROPOSED AMENDMENT TO THE CONSTITUTION - RESPONSIBILITY FOR FUNCTIONS - SCHEME OF DELEGATION AND TERMS OF REFERENCE (Pages 96 - 154)

To consider proposed amendments to the Constitution in respect of Responsibility for Functions, including the Scheme of Delegation and Terms of Reference.

13. PAY POLICY STATEMENT - ADOPTION OF REMUNERATION PACKAGE FOR THE STRATEGIC DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICES (Pages 155 - 159)

To approve the remuneration package for the Strategic Director of Children and Young People's Services

14. COMMUNITY GOVERNANCE REVIEW - ORGREAVE PARISH COUNCIL - IMPLEMENTATION OF FINAL RECOMMENDATIONS (Pages 160 - 192)

To approve the making of the draft Reorganisation of Community Governance Order following the review requested by Orgreave Parish Council.

15. OVERVIEW AND SCRUTINY ANNUAL REPORT 2017/18 (Pages 193 - 218)

To receive and approve the Overview and Scrutiny Annual Report for the 2017/18 municipal year.

16. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY - SPOTLIGHT REVIEW FOLLOWING THE OFSTED INSPECTION OF ADULT COMMUNITY LEARNING (Pages 219 - 226)

To receive the scrutiny spotlight review and recommendations following the Ofsted Inspection of Adult Community Learning.

17. CHILDREN'S COMMISSIONER TAKEOVER CHALLENGE SCRUTINY REVIEW: WORK EXPERIENCE (Pages 227 - 248)

To consider the report and recommendations of the Youth Cabinet following the Children's Commissioner Takeover Challenge Scrutiny Review of Work Experience

18. NOTICE OF MOTION - MODERN SLAVERY

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.

Proposer:- Councillor Alam Second:- Councillor Wyatt

19. STANDARDS AND ETHICS COMMITTEE (Pages 249 - 253)

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

To confirm the minutes as a true record.

20. AUDIT COMMITTEE (Pages 254 - 264)

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

To confirm the minutes as a true record.

21. HEALTH AND WELLBEING BOARD (Pages 265 - 272)

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

To confirm the minutes as a true record.

22. PLANNING BOARD (Pages 273 - 278)

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

To confirm the minutes as a true record.

23. STAFFING COMMITTEE (Page 279)

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

To confirm the minutes as a true record.

24. LICENSING (Pages 280 - 284)

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

To confirm the minutes as a true record.

25. SHEFFIELD CITY REGION COMBINED AUTHORITY (Pages 285 - 293)

To receive, for information, the minutes of the Sheffield City Region Combined Authority.

26. SOUTH YORKSHIRE POLICE AND CRIME PANEL (Pages 294 - 304)

To receive, for information, the minutes of the South Yorkshire Police and Crime Panel.

27. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

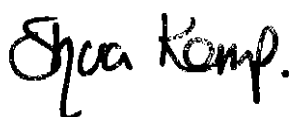
To put questions, if any, to the designated Members on the discharge of functions of the South Yorkshire Police and Crime Panel, South Yorkshire Fire and Rescue Authority, Barnsley, Doncaster, Rotherham and Sheffield Combined Authority and South Yorkshire Pensions Authority, in accordance with Council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

28. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN

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

29. URGENT ITEMS

Any other public items which the Mayor determines are urgent.



SHARON KEMP,
Chief Executive.

**The next meeting of the Council will be on
Wednesday 5 September 2018 at 2.00 p.m. at Rotherham Town Hall.**

COUNCIL MEETING
27th June, 2018

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

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

1. ANNOUNCEMENTS

The Mayor was pleased to present his activity since the last Council meeting and reported on how by the end of June he and the Mayoress would have completed the same number of engagements as they had as Deputy Mayor and Mayoress in six months.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Beck, Beaumont, B. Cutts, M. Elliott, Jepson and Senior.

3. COMMUNICATIONS

There were no communications received.

4. MINUTES OF THE PREVIOUS COUNCIL MEETINGS

Resolved:- That the minutes of the meeting of Council held on 18th and 23rd May, 2018, be approved for signature by the Mayor.

Mover:- Councillor Read

Seconder:- Councillor Watson

5. 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:-

- Containing 21 signatures on the Rotherham Truth Campaign (RTC), calling on the Chief Executive of Rotherham Metropolitan Borough Council (RMBC) to make public the full email sent by the former Director of Children's Services on 5th August, 2015 to the five Commissioners appointed to Rotherham and to state the position of the so-called expert.

Mr. L. Harron addressed the Council as part of the presentation of the petition calling on the Chief Executive to make public the full email sent by the former Director of Children's Services.

- Containing 31 signatures calling on the senior Rotherham Council officer:-
 - who was fully consulted about Voices of Despair Voices of Hope;
 - who ordered 1500 copies for Rotherham Council on 10 March 2015;
 - who joined the trip with victims, survivors and advocates to the Houses of Parliament and to Downing Street on 25 March 2015;
 - and who then sent a dreadful email on 15 September 2015:

to END HIS SILENCE and TELL THE TRUTH to adult survivors of Child Sexual Exploitation (CSE) in Rotherham about what he knows about why officials at Rotherham Council decided to return 1400 copies of Voices of Despair Voices of Hope (at a cost of £5600 to Rotherham Council)

Ms. Meleady addressed the Council as part of the presentation of the petition asking why officials decided to return 140 copies of the Voices of Despair Voices of Hope publication.

6. DECLARATIONS OF INTEREST

Declarations of any disclosable pecuniary or personal interests in respect of items of business to be considered at this meeting were listed as follows:-

Councillors Alam, Jones, Pitchley, McNeely, Russell, Wyatt declared personal interests in Minute No. 221 (Council Motion – US Steel Tariffs) on the grounds that they were members of the Community Union.

Councillor Albiston, Ellis, Jones and Read declared personal interests in Minute No. 221 (Council Motion – US Steel Tariffs) on the grounds that a number of relatives were in receipt of a British Steel pension and that they were members of the Community Union.

Councillor Atkin, Cooksey and Napper declared a personal interest in Minute No. 221 (Council Motion – US Steel Tariffs) on the grounds that relatives were in receipt of a British Steel pension.

Councillor Bird declared a personal interest in Minute No. 221 (Council Motion – US Steel Tariffs) on the grounds that he was in receipt of a British Steel pension and that he was a member of the Community Union.

Councillor Cusworth and Keenan declared a personal interest in Minute No. 221 (Council Motion – US Steel Tariffs) on the grounds that they were members of the Community Union and their husbands and left the room whilst this item was discussed.

Councillor Hoddinott declared a personal interest in Minute No. 221 (Council Motion – US Steel Tariffs) on the grounds that she was supported by the Community Union during her election campaign.

Councillors Cooksey and Keenan declared a personal interest in Minute No. 221 (Council Motion – US Steel Tariffs) on the grounds that their husbands either were in receipt of a British Steel pension or worked for Liberty Steel and left the room whilst this item was discussed.

Councillors Sansome declared a personal interest in Minute No. 221 (Council Motion – US Steel Tariffs) on the grounds that he was in receipt of a British Steele pension and a member of the Community Union.

Councillor Walsh declared a personal interest in Minute No. 221 (Council Motion – US Steel Tariffs) on the grounds that he was in receipt of a British Steele pension.

Councillor Yasseen declared a personal interest in Minute No. 221 (Council Motion – US Steel Tariffs) on the grounds that a number of relatives were in receipt of a British Steel pension and that she was a member of the Community Union.

Councillor Wyatt declared a personal interest in Minute No. 218 (Cabinet Minutes – Minute No. 148 of 21st May, 2018) on the grounds that he was a service user.

7. PUBLIC QUESTIONS

(1) Mr. Harron asked given the confusion about his question at the Council meeting on 23rd May would the Leader of the Council give his reasons for refusing to ask the Chief Executive for the name and position of the so-called independent expert who allegedly rubbished the publication *Voices of Despair* *Voices of Hope*.

The Leader confirmed that at the time that the Council asked the independent expert to review '*Voices of Despair* *Voices of Hope*' it was agreed that the expert and the organisation they worked for would remain anonymous.

The name of the independent expert was only known by a few officers in the Council, on a need to know basis. This was in line with Data Protection Legislation.

COUNCIL MEETING - 27/06/18

The Leader confirmed he did not know the name of that person and was not sure if the Chief Executive knew the name, but could not give it to Mr. Harron due to the arrangement that was in place.

This linked into the email exchange that had taken place over the last few weeks he had had with Mr. Harron. The information could not be provided so the correct route, in accordance with the law and procedures, was to forward a Freedom of Information request. The Leader had offered to forward this on for Mr. Harron, but this had been declined.

Mr. Harron disagreed with the Leader's answer. On the first occasion the Leader claimed the information did not exist – he was wrong. On the second occasion the Leader said he did not have it. This would be pursued.

In a supplementary question Mr. Harron asked the Leader if he remembered on the 18th October Elizabeth and T, two adult survivors, presenting a petition asking for meaningful consultation about their needs. The response to that petition was dire. He asked did the Leader share his admiration and courage of Elisabeth and T, who had both been through the horrendous process of a trial leading to convictions, and would he thank them for everything they were doing to bring about a better Rotherham.

The Leader did associate himself with the comments of Mr. Harron and had been fortunate to be able to speak with one of the people concerned. However, he commended their bravery and acknowledged wholeheartedly the suffering caused to too many people for far too long in Rotherham and, therefore, in position respected the steps they were taking to improve the town and he was happy to meet with them. In answering Mr. Harron that could not step outside the boundaries of the law and rules and procedures under which this Council had to operate.

(2) Mr. Sylvester asked what would the inspection and regulation regime be of the Shared Lives service to ensure safeguarding standards were at least the same as those for day centres under proposed closure?

Councillor Roche confirmed RMBC's Shared Lives scheme was registered with the Care Quality Commission and was rated as 'Good'. Shared Lives schemes were regulated in respect of the regulated activity of 'personal care' as defined in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2012.

The service was a member of Shared Lives Plus which was the national membership body for Shared Lives carers and schemes offering support to members to ensure the quality of service, with everyday issues around guidance, good practice, and regulation.

Shared Lives Carers recruited to the service would have undergone a rigorous recruitment process which was carried out over a period of time. Satisfactory references and Disclosure and Barring Service (DBS) checks was a requirement. There were additional health and safety checks to assess the suitability of the carers home which include assessment of access; security; fire safety; household insurance; public liability insurance. Once completed this information was presented to the Shared Lives Panel who then reviewed evidence of capability, values and safety that were taken into account when they were making decisions to approve carers.

Approved Shared Lives carers have to complete a programme of mandatory training which included safeguarding; moving and handling; first aid. They received regular updates and refresher training. They were also supported by the Shared Lives team to understand their roles and responsibilities, which were clearly defined in the carer's handbook. Shared Lives Carers were required to sign up to a carer's agreement.

Before anyone was placed with a Shared Lives carer there was a structured matching process carried out gradually over a period of time; this allowed assessing for compatibility between the Shared Lives carer and the service user. These introductory visits were supervised by one of the shared lives team.

Once a person was placed with an approved Shared Lives carer regular supervisory visits took place; this was a minimum of four per year once the placement was settled and established.

As a source of support for Shared Lives carers and service users the Shared Lives team held regular networking meetings and events. Some of these meetings were used to share information and can include guest speakers who focus on specialist topics.

Should there be safeguarding concerns raised there were clear procedures in place to investigate such matters in line with the requirements defined in the Care Act 2014. This could lead to the suspension and deregistration of a Shared Lives carer.

The Care Quality Commission (CQC) consistently rated Shared Lives as one of the safest and most effective forms of care and support and this continued to remain the case under their new inspection regime. In the State of Adult Social Care Services 2014 – 2017, CQC found that Shared Lives services outperformed all other forms of regulated care in inspections.

In a supplementary question Mr. Sylvester referred to the problem where men and women who used the day centres and their carers were not convinced that offering a service for people in their own homes. This required a hasty recruitment process in a market where it was difficult to recruit carers and was not as good a safeguarding regime. From bitter

experience when it came to safeguarding concerns the service users were believed and not the Council. With this if a full and frank consultation process had taken place and people properly informed why had the Council failed to convince the service users and their carers that the safeguarding regime was as good and the failure for doing this.

Councillor Roche recognised there were some concerns about Shared Lives by carers, but this was not the view shared by all carers. It was important to remember Shared Lives was only one of the ways forward and not the only way. Once the assessments were complete for users all the issues would be discussed. It was not possible to pre-judge those assessments which had not yet taken place and those concerns could be raised and gone through with the carer and service users at the time.

(3) Elizabeth was unable to attend the Council Meeting so would receive a written response.

(4) Mr. R. Symonds referred to the comment by the Cabinet Member that some service users would still require a building based service. He asked how many of the current cohort of day centre users would require a building based service, how many buildings were available in the independent sector and what was their total capacity?

Councillor Roche explained it was not possible to directly answer the question about the number of existing users who would require a building based service in the future until individual assessments have been completed for the whole cohort.

In terms of the question regarding the volume of alternative provision, individual choice would determine the chosen offer and, therefore, it was not possible to state what the exact building base capacity would be. The existing customers who were currently accessing the day services and other in house provision would all be re-assessed as part of the Learning Disability transformation activity.

The assessment process would review this with the key people in the customer's life and consider aspects such as friendship groups and a customer's individual eligible unmet needs and the best way to meet this. This may mean for some that this would be a different offer and not rely on a building base, however, for other people a safe building base may be the best option. There were a range of services available in a mixture of different buildings depending on the requirements of the individual as previously stated.

Meanwhile there would be adequate places and the Cabinet Member did understand that for many service users and their families this was a very worrying time even though few people who had learning disabilities chose to go into day care these days and the feedback from those people who had moved away from it, over the past year, had been very positive. The Cabinet Member knew this was a big change, but from what he had seen

was confident that the lives of those involved could be improved and that it was intended to do. He had discussed at the Carers' Forum the number of service users accessing day centre services and those who did not. He was happy to share that information again at the next Carers' Forum.

In a supplementary question Mr. Symonds asked, despite the best efforts of a diminishing adult social care workforce, Rotherham Council did not have a good record of carrying out care assessments. His sister, Jenny, a service user, was supposed to have an annual reassessment, but had not had one for five years. He asked what confidence could he have that there would be adequate provision and capacity that the 750+ service users would have an assessment in a timely manner.

Councillor Roche confirmed Mr. Symonds was right to raise this issue and had discussed this with the Strategic Director and raised this previously. He had asked that all the assessments must be completed this year and that additional resources must be provided to ensure they would take place. He was confident they would be undertaken on time.

(5) Miss Reed confirmed she liked going to the Oaks Centre, had been going there for ten years, had met her boyfriend there and went to see all her friends. She asked why she would not be able to go to the Oaks and see all her friends?

Councillor Roche could understand how upsetting this was for all. This was a big change and Council staff would be talking to users about being with friends and that when Oaks Day Centre closed people would still be able to do what they wanted. A meeting had been arranged with various people, including Miss Reed's mother, to discuss individual situations. Over the last few years there had been less people wanting to attend the Oaks Day Centre and the building needed more money spent on it to keep it safe. A decision was needed on whether to keep it open or do something different with assistance being provided for people with learning difficulties to do more and to give them control over their lives. Sadly this would mean Oaks Day Centre would close and the Cabinet Member was happy to discuss this further once changes had been proposed.

(6) Mrs. Reed described how her daughter had loved attending the Oaks Centre for ten years and how her friends and boyfriend were there. The decision for closure had made her daughter depressed and she had been prescribed anti-depressants. She asked what assurances could the Cabinet Member give that she could remain with her friendship group and where could they be accommodated.

Councillor Roche was sorry to learn that Mrs. Reed's daughter's health had been affected and he hoped he could help her through this period of change. He had arranged a meeting during July to look at the position.

As part of the re-assessment process all service users would be seen. As part of this process the social worker would look at what was important to each person and this would include the friendship circles that have been formed within services over the years.

As part of the consultation work that has taken place within services over the last two years the friendship circles have been mapped out. If there were any gaps this could be looked at again as part of the assessment process. The relationships were appreciated and it would be ensured that this was supported through the process to enable people to keep links with the people who were important to them.

The reassessment process would look at how to meet eligible unmet needs – this could be through a number of options and this would be discussed with the customer and the family members. There was a directory of the different types of community support options and activities that could be accessed within Rotherham. This could be found through the connect2support website.

In terms of the buildings it was hoped to open up new opportunities and groups and not lock them in day centres. He understood that people may be anxious and upset around the proposed changes and de-commissioning of the buildings. However, he gave his assurance that the Council would work with individuals and their families to offer support which would also include looking at any health needs.

In a supplementary question Mrs. Reed understood that direct payments would be made to pay for carers and asked what sort of care would be available for £7.80 per hour.

Councillor Roche confirmed direct care was an option, but until the assessments were complete it was not possible to predict what was suitable. Direct care was not the only option. He would discuss this further with Mrs. Reed at the meeting that was already arranged.

(7) Mrs. Healey confirmed her friend, Jenny, attended the Oaks centre. When Jenny was out in the wider community she got upset when unkind people stared and sniggered. She asked would the Council accept that trying to integrate her into the community this would cause her further distress.

Councillor Roche agreed that upset was totally unacceptable and went further as to say it was appalling and any kind of hate crime should be punished. He did not think it was good enough to accept that people with learning difficulties should be segregated from the community.

The voluntary sector organisation Speak Up have undertaken work as part of their offer to ensure that there was peer support within communities around hate crime and how this should be reported. This has also been presented to different groups included the Learning Disability Partnership Board.

The hate crime training aligned with peer led travel training empowered and enabled people with learning disabilities to access services in the community.

Any concerns regarding hate crime should be reported through to the Council or to South Yorkshire Police (Tel. 101).

In a supplementary comment Mrs. Healey had not regarded the comments to be labelled hate crime and it was more about young people laughing at others. Jenny was upset and would be upset more if she did not go to the day centre and wanted to know what the Council was going to do about it.

(8) Ms. M. Hudson asked what had the Council done to ensure that people with a learning disability, who would be affected by the closure of services, fully understood the proposals of the report and were able to ask questions and raise concerns to key RMBC officers?

Councillor Roche explained that from the point the Cabinet report was agreed on the 21st May, 2018, there have been letters sent out to services and service users to advise on the decision to agree the proposals.

There had also been an easy read version of the report circulated to all services and customers.

Key workers within service have also been supporting customers to understand the reports proposals and officers have been presented within services to answer questions that customers may have.

Further discussions have taken place with the voluntary organisation Speak Up which would undertake further work with services and customers in small groups to discuss the report proposals.

Throughout the two separate pieces of consultation around the Learning Disabilities offer that there have been many opportunities for customers, carers and families to have their say. In addition to completion of questionnaires which were available online and through hard copies there have been in excess of forty engagement events with an additional offer to meet people individually where this was requested. There had also been specific engagement with customers and families to build communication profiles and the use of flash cards and other supported communication tools.

In a supplementary question Ms. Hudson asked if she could be advised of the dates/times of when these events took place and the officers involved. Her own daughter would be affected by the day service closures and she had observed that some people would be devastated about what was happening. Some service users did not have a clue about the proposed changes and no one had attempted to explain this to them.

Councillor Roche confirmed he would ensure that list was forwarded on in writing. If those meetings had not taken place he expressed his concern.

(9) Mr. Simons asked how could Councillors, with little or no experience of caring for people with learning disabilities or autism 24/7, make a fair and realistic decision on their behalf?

Councillor Roche explained it was a Councillor's responsibility to represent all people living in communities including those with health and social care support needs. To discharge this duty Councillors worked closely with officers and customers who accessed services to inform the decisions to be made. Councillors did this by talking to people who used services and provide services. Councillors listened to people's concerns and responded appropriately and made sure where possible people who used services were involved in the decision making. There was active user representation and participation at the Autism and Learning Disability Partnership Boards and had commissioned the voluntary sector organisation Speak Up (user lead organisation) to help with the changes in services for people with learning disabilities.

The Council had developed a number of strategies which were co-produced and had a quality assurance process which ensured the customer voice was at the heart of the assessment processes. The Council did recognise that co-production could be improved and would not be complacent.

In a supplementary question Mr. Simons asked did the service providers exist that could accommodate the displaced adults with the same standards of the existing staff of the intended closing facilities and still offer the same choices to their customers and what evidence did the Council have that they did exist.

Councillor Roche was fully aware of one event and there were others planned to explain about the services available. A list would be made available to service users and was currently being worked on.

(10) Mr. Taylor asked in answering a freedom of information request in March this year about building on green belt land he was informed that 1.3% would be removed from the green belt and asked was this figure still correct?

Councillor Lelliott confirmed the response given was in relation to 2015 figures. Since then the Local Plan Sites and Policies document had been approved by the Council for submission to Government. At that time the estimate of land to be removed from Green Belt for housing was 1.3%.

The Sites and Policies document had since been examined by a Government Inspector and some changes made. Some sites have been deleted, some new sites added and some land included within the Green Belt.

The land to be removed from the Green Belt for housing was now around 1.1% of the Green Belt so less than the information received previously.

In a supplementary question Mr. Taylor confirmed it was preferable to protect green belt land wherever possible and build on brownfield sites. As part of the same FOI he received a response that said it did not hold a percentage figure of the whole of the brownfield land available in the borough that was proposed that may be built on as part of the Local Plan. This suggested to him that the Council did not actually know where the brownfield sites were located so how could the Council put forward an effective Local Plan when it did not know where the brownfield sites were.

Councillor Lelliott believed the Council did know exactly where the brownfield sites were and would chase this with officers. However, she reiterated the Local Plan had been through robust scrutiny by an Independent Inspector and had negotiated the figure for housing demand to have this reduced from 17,000 to 14,000. The Local Plan with the brownfield and greenfield sites was there to meet the future housing and employment growth, which meant some green belt land was required to be built on as there was an insufficient supply of brownfield sites to meet this demand.

8. 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.

9. LEADER OF THE COUNCIL'S STATEMENT

The Leader wished to provide a brief statement and confirmed:-

- The joy and news that Rotherham United Football Club had secured promotion.
- The Impendent Health Check commissioned by Commissioners to supplement information to Government. This information recognised

all the progress made which was now in the public domain.

- Rotherham Together Partnership one year on from launching the Partnership Plan celebrated together the progress made and the challenges ahead. From there it was confirmed that McLaren had now taken ownership in the AMP and the owner of Gulliver's Theme Park spoke passionately about the forthcoming project at Rother Valley Country Park.
- The Council had also formally appointed a new Director of Children's Services, John Stonehouse, who would join the Council at the end of the summer from York.

The Mayor invited other Members to ask questions of the Leader's Statement.

Councillor Reeder referred to the health check outcome for Commissioners and further the decision of the learning disability closures and the sale of some homes that were designated for people with learning difficulties that were now for sale in Eastwood. She asked was it not premature that they were for sale when they may well now be needed.

The Leader believed the two areas were entirely different. The Commissioners had to report on the governance of the Council of which there had been good progress and this was validated from people outside the authority.

This was distinct from the difficult decisions that had to be made. The Council had heard today from people in relation to learning disabilities and understood why they felt strongly about the changes being made. The decision was to be implemented over two years and whilst this had been reflected upon and the decision hard, this had been discussed with the Commissioners but the decision sat with the Council.

It had to be recognised that all Councils made the difficult decisions about needs and about services. This would continue as policies were implemented and it was hoped that at the end of the process the services would be improved so that those affected now would come back in the future and speak about the changes and how this could be improved in the future.

Councillor Cowles also commented on the learning disability closures and the arguments presented at the Overview and Scrutiny Management Board. The advice of officers was taken on board, but a number of recommendations were made relating to the need to relationships between users must be maintained, transition into the community must not be rushed, provision for long term residents must be available and that most importantly visits to Councils where there had been successful implementation of this policy and this was available to carers and users. If the issue was so important the visits should have taken place. He

expressed his concern about this. He also referred to an extract he had received from a service user which raised his concern further.

He asked why the Council had not ensured visits took place prior to the decision being made and why it was decided to take the route through Cabinet and not through Improving Lives.

The Leader confirmed there were visits made to other parts of the country well before the decision was made. There was a long lead in lead by Councillor Roche. No Member had taken this decision lightly and it was why there was a need to phase this in gradually. The view from the Overview and Scrutiny Management Board and been around providing further assurance and an opportunity for others to see first-hand about where the implementation had worked. A trip had been arranged during the summer.

In terms of decision making process there had been some discussions in scrutiny, but in governance terms the decision was an executive decision and the responsibility of Cabinet, which meant the report could then be considered through pre-scrutiny. There would be ongoing discussions through Scrutiny as part of the implementation.

In a point of information Councillor Steele confirmed the recommended visits to other Councils was to ensure that service users and their relatives could view first hand why the decision had been made.

10. **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 16th April, 21st May and 11th June, 2018, be received.

Mover:- Councillor Read

Seconder:- Councillor Watson

11. **RECOMMENDATION FROM CABINET - ROTHERHAM LOCAL PLAN: ADOPTION OF THE SITES AND POLICIES DOCUMENT**

Further to Minute No. 159 of the Cabinet held on 11th June, 2018, Council were recommended to approve the adoption of the Sites and Policies Document, as modified by the Inspector's Main Modifications. The Sites and Policies Document allocated development sites to meet the targets for new homes and jobs in the Core Strategy. Having passed examination by a Planning Inspector, the Council could now progress to adopt and implement the Sites and Policies Document.

Adoption of the Plan would enable the release of the development sites chosen by the Council as the most appropriate to promote the sustainable growth of Rotherham. This would significantly boost the supply of new homes and jobs that Rotherham needed and support the delivery of the

Council's Economic Growth Plan and Housing Strategy. Crucially, it would also help ensure a five year supply of housing land to protect the Council against speculative development on other non-preferred sites.

Adoption of the Plan would also bring into force the development management policies designed to protect and enhance the environment. This policy protection was required to complement the Plan's growth ambitions and ensure new development was delivered in a sensitive manner.

A number of Councillors expressed their concerns and were unable to support the recommendations.

Councillor Cowles believed the process to be flawed and a number of issues remained unsatisfactory answered and some information misleading.

Councillor Carter was also unable to support the recommendation on the grounds that the number of brownfield sites was not known, there was a need to rejuvenate the town centre and this Plan did not go far enough.

Councillor Reeder too was unable to support this on the grounds that there was little chance of younger people getting on the housing ladder.

Councillor Napper too expressed his concern about key sites being left derelict in his own ward, but believed there needed to be a good excuse as to why developers were building on green field land instead of brown.

Councillor John Turner was worried about congestion around some key sites identified in the Plan.

Councillor Steele confirmed the Overview and Scrutiny Management Board had taken a key interest in the document as part of the pre-scrutiny process and sought clarification on issues from the Cabinet Member and relevant officers.

Councillor Cusworth, Mallinder and Watson wished to express their support and took pride in the fact that 70% of the borough remained green. Only 1.1% of the borough's green belt was to be included in the Plan for development.

Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, took on board all the comments, confirmed only 1.1% of the borough's green belt was to be developed and pointed out the negotiations that led to a reduction in the housing target from 17,000 to 14,000 over the next five years.

Resolved:- (1) That the Inspector's final report and the recommended Main Modifications be noted.

(2) That the Sites and Policies Document, as modified, be adopted as part of the Development Plan for Rotherham.

Mover:- Councillor Lelliott

Seconder:- Councillor Read

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

Further to Minute No. 192 of the meeting of Council held on 23rd May, 2018, consideration was given to the report which sought approval for the making of the Reorganisation of Community Governance Order required to bring the Final Recommendations into effect.

Following the receipt of a proposed amendment to the final recommendations and for these to be properly considered it was suggested that this report be deferred to allow for consultation with the Waverley Residents Association to take place.

Resolved:- (1) That consideration of the implementation of the Community Governance Review be deferred until the next meeting of Council on the 25th July, 2018.

(2) That the Assistant Director of Legal Services consult the Waverley Residents Association on the budget requirement for the proposed Waverley Community Council and provide a further report to the meeting of Council on 25th July, 2018.

13. NOTICE OF MOTION - US STEEL TARIFFS

Proposed by Councillor Sansome and seconded by Councillor Wyatt:-

That this Council notes:-

1. With alarm the decision of the US President Donald Trump, to impose a 25% tariff on imports of steel from the European Union, including the UK, to the USA, and a 10% tariff on aluminium.
2. That the UK sells approximately £360 million of steel to the USA annually.
3. That when the USA last imposed tariffs on EU steel imports under President George W. Bush in 2002, they cost the US economy an estimated 200,000 jobs – more than the entire US steel production workforce at that time.
4. The continued importance of steel production to the Rotherham economy, with 12% of revenue to Liberty Speciality Steels in Rotherham reportedly coming from exports to the USA.

This Council believes:-

1. That the imposition of US tariffs will be harmful both to the US and global economies.

This Council resolves:-

1. That the protectionist policies of the current US administration be condemned.
2. That the government be urged to make the strongest possible representations on behalf of the UK steel industry.
3. That the Community Union's "Stop Trump Tariffs" campaign be supported.

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

14. MEMBERSHIP OF COMMITTEES, PANELS AND BOARDS

Further to Minute No. 190 of the meeting of Council held on 23rd May, 2018, consideration was given to the request for Councillor Short to fill the UKIP vacancy on the Standards and Ethics Committee.

Resolved:- That the request for Councillor Short be appointed to the Standards and Ethics Committee be approved.

15. 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

Second:- Councillor Mallinder

16. PLANNING BOARD

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

Mover:- Councillor Sheppard

Second:- Councillor Williams

17. LICENSING

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

Mover:- Councillor Ellis

Second:- Councillor McNeely

18. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

(1) Councillor Carter asked how did the spokesperson for the Police and Crime Panel propose to hold the commission to account for the discharge of their statutory functions now that these functions have been restricted to only those on the meeting agenda?

Councillor Sansome explained the Chair and Vice-Chair of the Police and Crime Panel have been provided with detailed legal advice by the Monitoring Officer/Solicitor to the Panel. The Panel would consider questions that fell within its statutory functions, but it may also consider other questions that were necessary for the Panel to carry out its functions. It was important that questions should not relate to operational issues for which the Police and Crime Commissioner was responsible in holding the Chief Constable to account.

Some Panel Members were frustrated with the weakening of power to the Panel, but it was important to note that it was not the Panel's role to hold the Chief Constable to account only the Police and Crime Commissioner.

In a supplementary question Councillor Carter asked about representatives on the Panel being able to ask about these issues as and when they arose, when contacted by residents, and asked if the representative agreed.

Councillor Sansome explained there may be opportunities when situations arose, but the Panel had to work within confines of its work plan, holding the Police and Crime Commissioner to account the same as any other scrutiny panel. The Panel was unable to look beyond its remit and had to act in accordance with the rules and procedures agreed at the start of every municipal year.

Unfortunately, there were some people who preferred to raise issues and challenge the Commissioner on social media when Councillor Sansome would prefer them to come to a meeting and raise the issue about what action was being taken to address child sexual exploitation, hate crime and domestic abuse.

(2) Councillor Cowles referred to a recent press article where Councillor Sansome made some disparaging comments about the 101 service. He was the first Labour Councillor he had heard express concern. Yet the public were still being asked to use this unfit service. He asked would the Spokesperson tell the Council what he proposed to do about it.

Councillor Sansome confirmed Councillor Cowles was right he had made comments about the long running saga it had taken to get the 101 system up and running. He was surprised that he was felt to be the first Councillor to raise concerns as at a recent meeting with the Chief Constable other Councillors were also present and stated their feelings regarding the 101 service.

If he was understanding the thoughts and comments raised by colleagues in that meeting Councillor Sansome felt it only right that he arrange through the Cabinet Member a meeting, involving Councillor Cowles, in order to sit with the Commissioner to look at the failings in the 101 service and how these could be rectified and when.

Councillor Cowles thanked Councillor Sansome for his response and would certainly take up the offer of the meeting.

In a supplementary question Councillor Cowles referred to other Police and Crime Commissioners having more than one role, whereas the South Yorkshire had a separate Police and Crime Commissioner. However, he pointed out the 101 service was not considered fit for purpose one year ago and a year later it was still not fit for purpose. He asked how had the Police and Crime Commissioner got the audacity when he found it easy to increase the precept by 6% raising taxes. Better things were expected. He asked if Councillor Sansome would, as well as calling a meeting, write a strongly worded letter to the Police and Crime Commissioner asking him to be effective or go.

Councillor Sansome confirmed he would put a letter together and ask within it advice from the Police and Crime Commissioner and the Cabinet Member.

(3) Councillor R. Elliott referred to the high court hearing with the FBU concerning CPC and according to public record the Fire Authority spent £800K legal fees of public money and lost. A sum which could cover the cost of a second appliance in Rotherham for four years. He asked how could this be a justifiable use of public money?

Councillor Atkin confirmed it was anticipated the legal costs would be in the region of £75,000 not £800,000 as reported. He made no apologies for this court case as the Close Proximity Crewing was saving the Authority £1.6 million per year so this was well justified.

In a supplementary question Councillor Elliott having read the judgement believed the Fire Authority was not comfortable with the Close Proximity Crewing and it was in danger of acting in a critical manner. The judgement said the system was unlawful, although the service had protested this at every stage. Councillor Elliott and his opposition colleagues were alarmed that a public body was knowingly acting unlawful by fulfilling one statutory duty by not fulfilling another.

As Vice-Chair of the public body it was not acceptable that Councillor Atkin was overseeing this position. He asked could Councillors view all the related documents that have been issued as he was led to believe the Fire Authority agenda items would be discussed in the absence of the public and press.

Councillor Atkin explained there had been no discussion in the absence of the press and public about the Close Proximity Crewing. There had been a meeting on Monday and again no exempt items to do with this issue.

Councillor Elliott was saying the actions were unlawful, but the comments by the Judge with regards to the unlawfulness related to the working arrangements not being in accordance with the EU Working Directives, not that they were unsafe.

(4) Councillor Carter asked what were the total legal costs incurred by the South Yorkshire Fire Authority from the point the Close Proximity Crewing issue was first taken to court?

Councillor Atkin explained there were two elements to the costs – the costs of the Judicial Review which was given in response to Question 3 as in the region of £75,000, and the additional costs associated with the employment tribunal. Whilst final figures were still awaited, it was anticipated the total costs would be just in excess of £100,000.

In a supplementary question Councillor Carter asked, given the services being cut throughout South Yorkshire and the removal of the second appliance in Rotherham did the Spokesperson think £100,000 was a good use of taxpayers' money?

Councillor Atkin confirmed he did. When Close Proximity Crewing was introduced due to the budget shortfall it saved £1.6 million so it was appropriate to use £100,000 to defend £1.6 million.

(5) Councillor Carter asked what were the anticipated legal costs incurred by the SYFR Authority of enacting the High Court Close Proximity Crewing judgement?

Councillor Atkin confirmed strictly speaking there were no legal costs in terms of enacting a Judgement. Legal costs have already been provided and there would be operational costs. These were still being calculated and would be subject to a further report to the Fire and Rescue Authority.

In a supplementary question Councillor Carter asked, given that crews had been using Close Proximity Crewing system for the some time, what were the back payments projected to be?

Councillor Atkin confirmed there was no costs at the moment until the industrial tribunal had met. At this stage it was not known what detrimental payments would be.

(6) Councillor Carter's question had been included as part of his supplementary question above.

(7) Councillor Carter asked what were the anticipated costs of detriment payments to firefighters affected by Close Proximity Crewing judgment.

Councillor Atkin explained the Authority was not in a position to make an estimate until a further hearing has taken place in the autumn. Negotiations had been attempted with the FBU, but these remained unresolved until the hearings had taken place.

(8) Councillor Carter asked could he be assured that there would not be cuts to front line fire services in South Yorkshire as a consequence of the High Court Close Proximity Crewing judgment.

Councillor Atkin explained at a time of significant and ongoing funding cuts, this voluntary staffing system saved the fire service money whilst protecting the immediate 999 response to the public. Following the judgement, the Authority would consider how else to save the £1.6 million this system afforded annually. Inevitably, and unfortunately, this was likely to mean changes which represented a reduction in current 999 provision across South Yorkshire. Any changes would be considered, and consulted on, as part of the service's integrated risk management planning process.

In a supplementary question Councillor Carter asked what were the implications of Regulation 6 on staffing and Close Proximity Crewing.

Councillor Atkin explained from the judgement it was his recollection that it was Directive 10 and not Directive 6 that the Fire Authority lost on and this was to do with staff not spending eleven hours away from work before coming back on shift.

19. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN

(1) Councillor B. Cutts was unable to attend the meeting so his question would be answered in writing.

(2) Councillor B. Cutts was unable to attend the meeting so his question would be answered in writing.

(3) Councillor Carter asked when would he be able to see the expected improvements to road safety on Bawtry Road?

Councillor Hoddinott explained the consultation started in February and no objectives were received. The Cabinet Member was pleased to report that the works would now be progressed and this would take place during the summer holidays.

(4) Councillor Carter asked following earlier commitments, which two new pedestrian crossings did the Authority plan to erect during this financial year?

Councillor Hoddinott confirmed the following crossings would be delivered through the 2018/19 Highway Capital Programme:-

- Fenton Road, Wingfield
- Morthen Road, Wickersley

Both schemes were at the design stage and would be delivered within this financial year. The Fenton Road crossing was at a more advanced stage in the design process and was likely to be delivered first.

Councillor Hoddinott thanked Councillor Carter for raising this issue, but pointed out that it was part of the budget proposals to increase the number of pedestrian crossings each year which Councillor Carter had actually voted against.

In a supplementary question Councillor Carter asked given the crossings were based on order of priority where was Bawtry Road on the list.

Councillor Hoddinott confirmed the Bawtry Road pedestrian crossing was number three on the list so residents would see works commence at the start of the next financial year. However, as works were already due to take place on Bawtry Road it was feasible to start some of the works on the crossing in preparation this summer with an anticipated completion date early in the next financial year.

(5) Councillor Napper asked how many planning applications a year did R.M.B.C.'s Planning Department receive?

Councillor Lelliott confirmed in 2017 there had been 1,862 applications received. This represented an average of 1,729 applications over the period.

(6) Councillor Napper asked how many people worked in the Planning and Building Control Department from Strategic Director down?

Councillor Lelliott confirmed there were 48 officers which was 43.21 full time equivalents.

In a supplementary question Councillor Napper referred to complaints he had received about the time it was taking to process applications and where there appeared to be discrepancies in what was allowed to be built in certain places.

Councillor Lelliott confirmed she was happy to meet Councillor Napper outside the meeting to discuss.

(7) Councillor John Turner asked what was the present cost to run the waste disposal wagons per year and what was the cost of hire when vehicles broke down (how much per year)?

Councillor Hoddinott confirmed the total cost of running the Council's refuse and recycling collection fleet was £1.73 million per year and of that cost, £1.03 million (60%) was associated with the hire of vehicles.

Within these costs there were a number of 'spare' vehicles which covered breakdowns, and scheduled MOTs, servicing and vehicle inspections.

At the last Council meeting the decision was taken to allow the service to go out to tender to buy a number of replacement refuse and recycling collection vehicles. This approach was expected to save the Council around £470,000 per year.

In a supplementary question Councillor Turner referred to the process of emptying refuse vehicles, the speed of the refuse vehicles travelling he had observed in his own area and the damage caused to vehicles through speed reduction measures. He asked if this had an impact on the hiring of vehicles, if the decision was taken to purchase Council owned vehicles and if an incentive could be adopted for operatives in keeping costs to vehicles to a minimum.

Councillor Hoddinott would happily pass on the suggestion. Any concerns about refuse vehicles speeding on residential roads should be reported and to alleviate costs the first thing management had introduced in refuse vehicles was fuel efficiency in-cab technology which could be viewed on site at the depot for any Members wishing to visit. The purchase of refuse vehicles was also another measure to reduce costs.

(8) Councillor John Turner asked was there a particular area of the refuse vehicle that was vulnerable to breakdown e.g. suspension?

Councillor Hoddinott had been advised by the service that it was the compaction body of the vehicles where defects tended to occur most often.

(9) Councillor John Turner withdrew Question 9.

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

(11) Councillor Carter thought about the consultation on learning disability services held late last year and asked how well were those using the services able to engage in the consultation?

Councillor Roche explained consultation over Rotherham's offer to people with learning disabilities took place in two stages. In November 2016, Cabinet and Commissioners agreed the first stage, a broad consultation about the Council's services and the expectations of service users, their families and other stakeholders.

This ran between 5th December, 2016 and 2nd February, 2017, and engaged 627 people, including 23 engagement opportunities (one to one conversations, group discussions and focus groups).

That consultation informed a further report to Cabinet and Commissioners in July 2017, which proposed further consultation, including specific proposals for the building-based day services at Oaks Day Centre, Addison Road, and Treefields and Quarryhill respite centres.

That consultation period ran from 3rd October to 22nd December, 2017.

In the pre-consultation period, the Council engaged with customers with a learning disability and their carers about the content, process and method of consultation to ensure equity of access across the stakeholder groups. Following this engagement an online questionnaire was finalised; a set of flashcards developed for people with complex needs and an easy read paper based questionnaire was developed with the support of a doctor and researcher specialising in learning disabilities and autism.

Engagement sessions were set up and facilitated by the Council and Speakup Advocacy service. A 'train the trainer' programme was run to support and prepare twelve consultation champions: a one hour session every two weeks for the duration of the consultation period repeated in each of the three day centres. The sessions encouraged feedback from those present at the sessions. The consultation champions then fed back to the Council in week twelve of the consultation period.

Flyers were produced and distributed to customers and their carers. In order to promote maximum awareness of the consultation to the wider community, a total of six press releases were distributed to launch the consultation and remind people to take part and as a result the story featured in local news publications including the Rotherham Advertiser. The consultation was advertised on RMBC's website with a bespoke consultation page and a news story linking to the online consultation. Information about the consultation was shared with our communication partners including the Rotherham Together Partnership (consisting of 19 different organisations) and local colleges.

Hard copies of the easy read consultation questionnaire were also available on request.

473 responses were received which formed the basis of the report to Cabinet and Commissioners in May this year and the Cabinet Member and other officers had spoken to the Carers' Forum several times.

The view was that the core principles that must be followed in any lawful public consultation process have been complied with: the Council had been open and transparent; there have been various opportunities to encourage engagement and include people in a variety of ways to elicit informed responses that were taken into account when a decision made about the future of the in-house respite and adult day services.

In a supplementary question Councillor Carter asked about the 473 responses to the consultation, what proportion of these were service users and of these the proportion who had severe needs.

Councillor Roche confirmed 177 were from people with a learning disability, 112 carers, 99 staff and 85 members of the public.

(12) Councillor Carter asked could the Cabinet Member assure residents that the changes to learning disabilities services would safeguard against those with learning disabilities becoming socially isolated?

Councillor Roche explained that he would very much hope that the changes would help those with learning disabilities to have more opportunities for social interaction, not fewer. If he did not believe that the changes being brought in for the better he would not support them.

No changes would be made to anybody's service without a full reassessment if the outcome of that reassessment was that people need support to maintain their friendships and not doing so would have a significant impact on their wellbeing as the Council were duty bound to facilitate and support these relationships. This could be done in a variety of ways and settings outside of the building-based model.

Social isolation and loneliness covered all sectors and all ages and not just those with learning disabilities which was why an action plan was being put together to tackle this aspect in Rotherham. Councillor Roche was happy to sit down with Councillor Carter and answer any questions about this process.

In a supplementary question Councillor Carter asked about the move away from building based learning, which had been reported in Southampton, which showed this move to person based provision did increase the level of mental ill health and social isolation. Given this fact why was the Council moving away from the building based provision?

Councillor Roche explained he was aware of the reports, but he was more than happy to discuss this in more detail. However, moving to a personalised based service did not increase social isolation and as reported already today the Council, as part of the assessments, would take seriously into account friendship groups.

(13) Councillor Carter asked with the escalating costs and restrictive opening times, could the Cabinet Member confirm that two letters to Dignity was the total correspondence they have had since May 2017 and what had the response been from Dignity?

Councillor Hoddinott confirmed this was not the total. In addition to the letters referred to, officers were in regular dialogue with Dignity in respect of a wide range of issues including reviewing service provision and

monitoring the performance of the contract. As reported previously a new performance management regime was being implemented with regular monthly meetings.

The Chair of the Improving Places Select Commission had invited Councillor Carter to the meetings as they had been involved with the performance framework and the reporting lines. The meeting later this month would also be looking into this further.

As reported previously Dignity had not yet increased prices in 2018, the next price increase would be considered in October 2018, following completion of the refurbishment works but no fees have been set.

The most recent letter was sent to Dignity on 29th May, to which they had not yet responded.

In a supplementary question Councillor Carter asked would the Cabinet Member be chasing up this latest correspondence and what response was the Cabinet Member hoping to receive from Dignity.

Councillor Hoddinott confirmed she would chase up the correspondence, but the Council also had the opportunity at scrutiny to put this to Dignity.

The Cabinet Member would continue to press on the concerns raised by residents about the costs, comparisons to other authorities, opening hours, how it was dealing with religious requirements, costs of memorials etc. There had been a bit of movement on the freeze of costs, but the Cabinet Member would continue to press Dignity on these issues to get the best from the contract for residents.

(14) Councillor Carter asked about a senior coroner for Inner North London who was found to be discriminatory by not taking into account religious beliefs and customs when managing workload. Given Dignity's restrictive opening hours did the Cabinet Member share his concern that a similar case could happen here?

Councillor Hoddinott confirmed she was aware of this key case in terms of discrimination. Both the Cabinet Member and Councillor Alam had looked in terms of equalities and sought assurances that the Coroner in Rotherham had always and continued to take into account religious and non-religious requests. The Coroner had not been operating in the way that had been criticised in North London.

In a supplementary question Councillor Carter asked how the restricted opening times of the Dignity contract could be deemed discriminatory and whether as a Council this was something we had considered.

Councillor Hoddinott explained the case in North London was more about the Coroner not making any changes in terms of religious beliefs and simply dealt with things in date order.

Dignity did offer a short notice burial service for religious or non-religious reasons and would endeavour to meet requests for short notice burials so did not feel they were in breach of this duty, but would continue to look at this further.

This was a key legal case, but it was more for what was wanted for residents which was beyond that to provide a good service in Rotherham.

(15) Councillor Carter asked when people with learning disabilities were re-assessed, would they get the same level of support which they have currently, and could the administration guarantee that this would be at no extra cost to both them and their families?

Councillor Roche confirmed the assessment process would determine the best way to meet each person's unmet eligible needs and this would be discussed with the family and people who were part of the customer's life.

As part of our Care Act 2014 duties the Council were required to review individuals who receive funded care at least annually and/or when individual circumstances changed. The assessment process was holistic and person centred. The outcome could not be determined by the amount of funding available.

If a need was identified, which was impacting upon an individual's wellbeing, the Council was duty bound to meet that need.

A detailed co-produced support plan would be agreed with the customer and/or advocate. It, therefore, could not be agreed that the same level of support would be provided following the assessment as this would not take into account individual needs and support requirements.

Some customer may receive less funded care as suitable no cost or low cost alternatives were available to fully meet their needs. However, some customers may require more support following a review, as their circumstances have changed.

It must be stressed that the Council could not change the services customers receive without conducting a full assessment of their needs.

In a supplementary question Councillor Carter asked about direct payments and how these families would be taken into account as part of the assessment process. Would they be able to access the same support through the direct payments scheme and use this for similar sort of services determined by the assessments.

Councillor Roche pointed out that the day care services would not be there. Until all the assessments were complete it was not possible to say what provision would be available.

The Cabinet Member was more than happy to discuss this further with officers with Councillor Carter about direct payments, but this was only one way forward not the only way.

(16) Councillor Carter asked how could the Council guarantee that there would be enough suitably trained care workers to meet the needs of residents with learning disabilities?

Councillor Roche confirmed that as part of the learning disabilities transformation work there had been engagement and discussion with 51 new and existing providers to continue to shape and expand the current offer for people with learning disabilities and or Autism.

Some of these organisations were run by former day care centre staff and the Cabinet Member had heard presentations from them. He was pleased to see what a good job they were going to do. Existing learning disability providers did have skilled and experienced staff.

In a supplementary question Councillor Carter was aware that 30% of carers moved between jobs and asked did the Cabinet Member think this process would increase or decrease this level for service users.

Councillor Roche was unable to say one service could be substituted for another. However, in some cases some provision would be similar as there were organisations out there to meet the need. This was about personalised services and it may be that a group of friends during the assessment could decide themselves with support that they would go to an existing provision. Until all the assessments were completed it was not possible to predict whether levels would increase or decrease with the moving away from building based provision.

(17) Councillor Carter asked could the new learning disability strategy also guarantee a bed for emergencies or in sickness like the Council could presently offer?

Councillor Roche explained that in respect to emergency beds or emergency placements this would be looked at on an individual basis and there was capacity within the external market to provide respite beds for customers if it was deemed that this was needed. There were currently 10 externally commissioned beds and this capacity was due to increase in the future as part of the Council's Learning Disability Strategy.

In addition to the respite beds, there was also emergency support for carers available through the Carers' Emergency Service in their own home. This was when the carer could not provide their usual substantial level of care to a relative or friend due to an unforeseen situation such as ill health, accident or admission to hospital. The care under this scheme could be provided on the day of the request, within two hours if necessary, and may be for short periods of time to undertake specific tasks or for up to 24 hour care in the home.

In a supplementary question Councillor Carter asked if any of these current beds were closing as a result of these current changes.

Councillor Roche pointed out that respite care was provided at all times for all users.

(18) Councillor B. Cutts was unable to attend the meeting so his question would be answered in writing.

(19) Councillor Carter asked how could the Council justify sacrificing vital green spaces to developers when they were unable to deliver housebuilding projects on vacant brownfield sites in the borough?

Councillor Lelliott confirmed there was simply not enough suitable brownfield land within Rotherham for the new homes and jobs needed. Because of this, the Council had had to identify some greenfield sites along with Green Belt land that could be released for new homes and employment.

The Council had negotiated a lower new homes target, which the Inspector agreed with for around 14,000 houses. This met the Borough's needs for new homes and jobs whilst limiting the amount of greenfield and Green Belt for development.

The sites identified by the Council have been through many stages of public consultation and then examined by a Government Inspector. The Inspector had made some limited changes to the plan, but had accepted the vast majority of sites. He said that they were the most appropriate choices and should be supported.

The plan included strong policies to protect land that was now allocated as Green Space.

(20) Councillor Cowles referred at a Neighbourhood Watch Meeting Inspector Paul Ferguson saying, "Eastwood is affected by many problems and, there does not seem to be any effective counter measures. We continue to repeat previous efforts. In particular those of Steve Parry, now regarded as ineffective." and asked why was the Cabinet Member not listening and learning?

Councillor Hoddinott was aware of the meeting and had been in contact with the Chair and spoken to Inspector Paul Ferguson directly. It would appear Councillor Cowles had not. Inspector Ferguson had not said what Councillor Cowles claimed he had. So rather than accusing the Cabinet Member of not listening, perhaps Councillor Cowles should take the time to stop misrepresenting people and get his facts straight instead.

In a supplementary question Councillor Cowles referred to the last Council Meeting when Ward Councillor Fenwick-Green asked about what improvements had been made with the Eastwood Deal and asked for confirmation. For those not familiar with the state of Eastwood there was a plan which needed major revision. He suggested that an action be included that the Cabinet Member send for the pied piper or learn to play the pipes as it was the only way to get rid of the rats in Eastwood.

Councillor Hoddinott asked the Mayor to ask Councillor Cowles to apologise for his last comment as it sounded as though he was referring to the people of Eastwood as rats. She hoped this was not the case and his comments were clarified.

The Mayor believed the comments to be totally inappropriate and invited Councillor Cowles to make any apology.

Councillor Cowles did not wish to offer any apology.

(21) Councillor Carter asked would the Cabinet Member agree with him that the departure of yet another store from Rotherham High Street in Greenwoods was another example of a lack of confidence in the Council's Town Centre Masterplan and also its failure to implement a radical solution?

Councillor Lelliott disagreed with Councillor Carter.

(22) Councillor Cowles understood that following the earlier successful trial of litter enforcement it was proposed to re-engage Kingdom. Previously the Council contracted directly with the company and he asked would the Council continue to contract directly with this company, or would an alternative arrangement be put in place and, if so, why and with whom?

Councillor Hoddinott confirmed the trial did show enhanced enforcement was successful and was keen to pursue this further and discussions were now ongoing about the provision of additional enforcement resources on an ongoing basis through a partnership arrangement with Doncaster Metropolitan Borough Council to continue this approach. The decision was taken in January and a full report was taken to Cabinet. The Cabinet Member was happy to share the detail.

In a supplementary question Councillor Cowles referred to previous arrangements i.e. Dignity and the contract which was less than ideal which the Cabinet Member had not negotiated. With this new arrangement contracted through a third party would the Cabinet Member confirm if this resulted in a positive position on the Council's finances or a negative one. If it was negative, by how much and why was this option selected.

Councillor Hoddinott confirmed the primary reason for this contact was to bring about enhanced enforcement. As a result of the number of fines issued some income came back into the Council after legal costs and processing which went back into the service. It was important to get the contract right and a long session took place at Improving Places where Members had the opportunity to look in detail at the trial and decide what they wanted from the service going forward. This would then ensure that the recommendations put forward were in place in the contract and feedback from Members at the forefront. There would be a positive impact as it would provide income to the Council.

(23) Councillor Napper referred to R.M.B.C.'s Local Plan and the areas where building was planned and asked were there any covenants on any of this land apart from Boston Park.

Councillor Lelliott explained when the Council prepared the Local Plan, any constraints such as covenants on land were taken into account, where known. The Council did, however, rely on information provided by the land owners and developers who put forward sites for the plan.

The examination of the plan by an independent Government Inspector allowed for scrutiny of each site. Therefore, anyone with an interest in a site could identify and make known, any covenants or other issues which may have affected the development of the site. Following the examination process, the Council was not aware of any covenants directly affecting the development sites in the plan.

In a supplementary question Councillor Napper asked if Legal Services had looked at all the land to ensure there were no covenants and had the Inspector been given all the information required. This would prevent old landowners objecting to development on land that they gave over.

Councillor Lelliott explained the role of the Local Plan was to establish that a site was suitable in principle for development. The Plan did not assess in detail every eventuality for sites, as these were matters that were explored in specific planning applications.

Granting planning permission did not override the restrictions that might be contained within a covenant. It would be for the developer to ensure they had unrestricted rights to implement any planning permission or seek to overcome those issues.

(24) Councillor Carter referred last year to the Council expecting incidents of fly tipping to increase. Given this, what additional resources have the administration planned to introduce to combat this issue?

Councillor Allen explained in terms of resources to combat fly tipping the service had installed ten CCTV units in selective licensing areas, purchased a number of covert cameras to be used in rural locations and were in the process of recruiting an additional enforcement officer to work

on this, as well additional CCTV to tackle all sorts of anti-social behaviour cross the borough.

Councillor Allen was pleased the Council had made this commitment in the budget and was sure residents in Councillor Carter's ward would be interested to know that he voted against the commitment.

In the way the Council investigated fly tipping, to make the most of the intelligence, this has led to real improvements in the level of enforcement action being undertaken. There has been a 68% increase in enforcement action for fly-tipping, with 14 fixed penalty notices issued and 28 prosecution cases developed for fly tipping and other waste offences. This year the Council used these powers for the first time to seize 18 vehicles which had been used in the commission of fly tipping and other waste offences, which was an overall robust approach to enforcement.

In a supplementary question Councillor Carter referred to a number of fly tipping hotspots in his own ward and asked could the Cabinet Member ensure the service was shown areas such as Grange Lane in Brinsworth and if this would be a priority for some covert cameras in the future.

Councillor Allen confirmed if Councillor Carter wanted to share the details of the hotspot areas this would be checked against the information and she would feed back to Councillor Carter in due course.

(25) Councillor Cowles referred to the Howard family have written to the Chief Executive requesting an explanation of why RMBC plan to allow Yorkshire Water to build a reservoir on park land burdened by a restrictive covenant. It suggests the Planning Board were not given the full facts and asked were they misleading?

Councillor Lelliott confirmed that when a decision is made on a planning application, only certain issues were taken into account; these were often referred to as 'material planning considerations'. These were issues that may be relevant to the decision. The weight attached to material considerations in reaching a decision was a matter of judgement for the decision-taker, however, the decision-taker was required to demonstrate that in reaching that decision that they have considered all relevant matters. Generally greater weight was attached to the relevant issues raised which were supported by evidence rather than solely by assertion.

Private issues between neighbours, such as restrictive covenants were non-material planning considerations and thus not relevant to the decision by the Planning Board. The planning officer's report, which was part of the agenda supplied to Members (and which was available to view on the Council's website) clearly stated on page 42 that restrictive legal covenants were not something that could be taken into account when considering a planning application. Any refusal of planning permission based on the status of a restrictive covenant could expose the Council to risk of legal challenge.

In a supplementary question Councillor Cowles understood the netting of trees in the park to avoid nesting and being disturbed by construction work had now been removed. Normally a minimum of early March to early July would be recommended for the procedure and asked what the significance of this was.

Councillor Lelliott confirmed a response to this would be provided in writing.

20. URGENT ITEMS

There were none.



Metropolitan Borough of Rotherham

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29th June, 2018.

Councillor B. Cutts.

Dear Councillor Cutts,

Council – 27th June, 2018

You were unable to attend the meeting on the 27th June, 2018 so it was agreed to send you a response to your question in writing.

You offered your congratulations at the completion of all drivers licensing and asked what was the current development on having a national system.

I can confirm the Council welcomes the development of a national system. It is the Council's view that, whilst we are confident that Rotherham's licensing regime is one of the most robust in the Country, the current lack of a national system risks undermining public safety and confidence in the licensing regime and the authorities that administer it.

Work being carried out by NAFN Data and Intelligence Services national database capturing all taxi and private hire licence refusals, suspensions and revocations is progressing. The date for implementation was anticipated to be April 2018; however, the Council understands that it has been slightly delayed. Unfortunately an exact implementation date cannot be provided at the moment, but Officers expect it to be implemented very soon.

The new national database will allow Councils to record details of where a driver's licence has been refused, revoked or suspended, as well as check new applicants against the database. This will help to prevent individuals who are not deemed to be fit and proper in one area, from securing a licence in another area by not disclosing their previous refusal or revocation.

The database is being developed and hosted by the National Anti-Fraud Network (NAFN). Rotherham MBC is already a member of NAFN which means that we will be able to access the database without any additional cost.

The database was initially commissioned as a voluntary register. A Private Members Bill was tabled aiming to making it statutory for licensing authorities to share information about licences they have revoked, refused or suspended on a register, and to check the register in respect of every new and renewal application. Unfortunately this Bill was unsuccessful.

I trust this answers your question, but if I can help further in any way please let me know.

Yours sincerely,

Sue Ellis

Councillor Sue Ellis,
Chair of the Licensing Board.

Leader of the Council - Councillor Chris Read

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Councillor Brian Cutts
Town Hall
The Crofts
Moorgate Street
ROTHERHAM
S60 2 TH

5 July 2018

BY EMAIL

Dear Councillor Cutts

I write regarding the question that you submitted for full council on 27th June, which you unfortunately couldn't attend. I have provided a written response below.

“With this information below how can it be a RUMOUR to my last Council question (Question 18 – 28th February, 2018)?”

In my response I used the term ‘rumour’ in relation to the Council staff and the use of taxis. To my knowledge the published texts do not identify that Council staff facilitated CSE through the procurement of taxis in the way that you have described. However, as I have said on many occasions the NCA must progress their enquiry and anyone engaged in CSE should be brought to justice.

The materials identified are public documents and available to the NCA as part of their ongoing investigation. I am aware that the Chief Executive arranged for you to meet with the NCA along with Cllr Cowles and you have received assurances that the NCA have access to these documents.

Yours sincerely



Councillor Chris Read
Leader of Rotherham Metropolitan Borough Council



Metropolitan Borough of Rotherham

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4th July, 2018.

Councillor Carter.

Dear Councillor Carter,

Council – 27th June, 2018

As I was unable to attend the meeting on the 27th June, 2018 it was agreed to send you a response to your question in writing.

You asked how often did wardens patrol the borough checking for homelessness?

I can confirm wardens patrol areas across the borough focusing on a range of environmental and anti-social behavior issues. While they carry out this work they will identify and help to signpost homeless people to the correct support services which includes the Council's Homelessness Team who will complete a full homelessness application.

During the early hours of Tuesday, 28th November, 2017, a number of Wardens and the Homelessness Team took part in a Rough Sleeper Count to establish the number of rough sleepers in Rotherham. Two people were found to be sleeping rough.

The Wardens will also take enforcement action regarding environmental issues (littering, street drinking and other breaches of the Council's town centre Public Space Protection Order).

The Homelessness Team receives reports of people who are believed to be homeless or sleeping rough, through a variety of methods. These include reports from members of the public, from the Police and through "Streetlink" which is a national rough sleeper reporting service.

When reports are received, the Council's Homelessness Team visit the site where it is believed someone may have been sleeping. If the person is there, the team offer advice and assistance immediately, or they leave details of who to contact for support, including an out of hours telephone number.

I trust this answers your question, but if I can help further in any way please let me know.

Yours sincerely,

D. Beck

Councillor Dominic Beck,
Cabinet Member for Housing.



Metropolitan Borough of Rotherham

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29th June, 2018.

Councillor B. Cutts.

Dear Councillor Cutts,

Council – 27th June, 2018

You were unable to attend the meeting on the 27th June, 2018 so it was agreed to send you a response to your question in writing.

Your question asked about the Rotherham Women's Refuge which is listed as a "Related Party" in the draft unaudited Statement of Accounts 2017/18 having received fees totalling £293,119. The Charities Commission name it as Rotherham Womens Refuge Management Association - a REMOVED CHARITY and, therefore, you asked if you could be given an account for it receiving the sum above from RMBC for the year 2017/18.

I can confirm the description in the Council's Statement of Accounts 2017/18 names the organisation as Rotherham Women's Refuge Management Association, however the organisation is now known as Rotherham Rise.

The financial statements for Rotherham Rise for the period 2016/17 describe it "*as a registered charity, established in June 1976 that changed to become an incorporated organisation – a Company Limited by Guarantee. The company is commonly known as Rotherham Rise, formally known as Rotherham Women's Refuge. The charity changed name and notified the Charity Commission and Companies House in May 2015*".

Therefore, whilst the description may refer to its former name, it is one in the same organisation, albeit operating under a different Charities Commission registration number.

The payments totalling £293k made to the charity in 2017/18 are summarised in the table below:-

Reason for Expenditure	Amount £'000
<p>Payment to Rotherham Rise for a project which provided a dedicated specialist domestic abuse outreach service aimed at preventing and reducing harm to those affected by domestic abuse, aiding their recovery and reducing further incidence.</p> <p>The project was agreed by the Safer Rotherham Partnership Board (Councillor Hoddinott is lead). The fees are covered by the Police and Crime Commissioner – the Council raises an invoice at year-end to cover our costs. This is a net nil cost to RMBC.</p>	30
Meeting room hire - Domestic Abuse training for RMBC staff.	1
Commissioned service with Rotherham Rise for survivors of CSE.	86
Fees for placements for survivors of CSE including counselling services.	9
Specialist funding for accommodation to support domestic violence victims.	167
Total	293

I trust this answers your question, but if I can help further in any way please let me know.

Yours sincerely,

S. Alam

Councillor S. Alam,
Cabinet Member for Finance and
Corporate Services.



Metropolitan Borough of Rotherham

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12th July, 2018.

Councillor Cowles.

Dear Councillor Cowles,

Council – 27th June, 2018

Further to your question at full Council where you asked in a supplementary question where you referred to the netting of trees in the park that had been erected to avoid nesting and being disturbed by construction work had now been removed. Normally a minimum of early March to early July would be recommended for the procedure and you asked what the significance of this was.

I can confirm that Yorkshire Water have confirmed that their contractors removed the bird netting on 18th June, 2018 because they now believe that work will not start on site until Autumn 2018 at the earliest. This is outside the bird-nesting season. Removing the netting means they no longer need to check it regularly to ensure no birds have become trapped in it.

I trust this answers your question, but if I can help further in any way please let me know.

Yours sincerely,

Denise Lelliott

Councillor Denise Lelliott
Cabinet Member for Jobs and the Local Economy.

**CABINET/COMMISSIONERS'
DECISION MAKING MEETING
Monday, 9th July, 2018**

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

Also in attendance:- Councillor Steele, Chair of the Overview and Scrutiny Management Board, and Councillor Short.

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

The webcast of Cabinet and Commissioners' Decision Making Meetings can be viewed at:-

<https://rotherham.public-i.tv/core/portal/webcasts/enctag/Executive%252BArea>

162. DECLARATIONS OF INTEREST

Councillor Lelliott declared a personal interest in Minute No. 169 (New Applications for Business Rates Discretionary Relief) on the grounds of attending the Magna Board, but in a non-executive capacity.

163. QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) A member of the public described how the Rotherham population was less than that in Sheffield with a smaller Council budget and unlike Sheffield had many services over the past few years run by Government appointed Commissioners. The Rotherham Advertiser published last Friday the Leader having claimed £5,441 more in allowances than the Leader of Sheffield City Council, the Deputy Leader claiming £2,643 more than the Deputy Leader of Sheffield and the Cabinet Members claiming £2,109 which was more than the highest member of Sheffield's Cabinet. The member of the public, therefore, asked if he could have an explanation from each Member in turn given the role of highly paid Commissioners.

The Leader pointed out there was no need for individual comments as everyone would give the same answer. Each area had an Independent Remuneration Panel who looked at the work of Councillors and apportioned allowance accordingly. Three years ago when he was appointed as Leader the allowances for Members were reduced broadly speaking in line with the South Yorkshire averages which took out 25% of the cost of Members. Last year the allowances were reduced again by 1% in line with the terms and conditions changes to staff.

What other places paid in allowances was a matter for them. When the Leader initially started Rotherham's allowances were expensive. However, this was not now the case and reasonable process had followed. All reasonable steps had been taken to reduce the amount of money Councillors cost.

In a supplementary question the member of the public referred to Members claiming more than Sheffield even with Commissioners last year running services. However, a favourite cut of this Council appeared to be school crossing patrols even in his own Ward of Thrybergh. The collective extra for the Cabinet was £18,629 more than Sheffield equivalents which was over 2,000 hours of school crossing patrols or enough to put three school crossing patrols back and asked if they could be returned.

The Leader reminded the member of the public that the cost of Councillors had been reduced in Rotherham by 25% and for something like £7,000 less than his predecessor as Leader in order to protect services. Councillors needed to be remunerated accordingly and some undertook this on a full time basis. Even if it was decided to remove the amount of money that Councillors were paid this would only pay for 1/15th of the amount of money in the next financial year that needed to be saved.

On school crossing patrols the Council had tried to put in place a policy where there was a need based on national guidelines and the Council would pay for them. There were a number that did not meet the national guidelines, but schools were asked if they wanted to pay for a crossing patrol. Both funds for support to Members and school crossing patrols had been reduced and these were reasonable compromises in the circumstances.

(2) The member of the public also referred to a question he had asked at Cabinet on the 21st May, 2018, about the Chesterhill housing development at Thrybergh which was kindly responded to. In that letter the Leader had said a decision had been made to drop the Keepmoat scheme. Last Thursday at the Thrybergh Parish Council meeting neither the Chair nor the Clerk had been informed that the scheme was no longer viable considering they were involved in drawing up the consultation first time around.

Given that there were forty-four days since that Cabinet meeting why had no-one been in touch with the Parish Council to let them know what was happening.

The Leader was unable to comment on the specifics, but the Council policy had not changed with the intention of seeing development on that site. It would not necessarily mean that the Parish Council would automatically be alerted to this. The Leader was happy to check and feedback.

164. MINUTES OF THE PREVIOUS MEETINGS HELD ON 21 MAY AND 11 JUNE 2018

Resolved:- That the minutes of the Cabinet and Commissioners' Decision Making Meeting held on 21st May and 11th June, 2018, be agreed as a true and correct record of the proceedings, subject to Councillor Steele being included in the list of attendance for 11th June, 2018.

165. 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 for the agenda items 10, 13 and 15 on the grounds that the appendices 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.

166. FINANCIAL OUTTURN 2017/18

Consideration was given to a report which outlined the final revenue and capital outturn position for 2017/18.

The revenue budget 2017/18 was approved by Council on 8th March, 2017. A budget of £221.560M (including Public Health) was set for General Fund services excluding schools' budgets and Housing Revenue Account. The final outturn position was a £3.237M underspend.

The original budget had proposed a planned use of reserves of £10.467M, therefore, only £7.230M would be utilised leaving £3.237M which would be available to support the budget in later years.

A summary of the outturn position for each Directorates was set out in the report submitted.

The Council continued to face demand pressures in particularly in respect of Social Care. The total overspends for Social Care were £7.737M Children and £4,059M Adults.

The Council's General Fund minimum balance reserve remained at £11.269M. The reserve was held to protect the Council against unforeseen events and realisation of contingency liabilities.

The Cabinet Member for Adult Social Care and Health confirmed the service was determined to bring the Adult Social Care overspend down, but this was against the national crisis of under funding for social care of around £8 billion.

Resolved:- (1) That the Revenue Outturn position of a £3.237M underspend be noted.

(2) That the transfer of £2.353M HRA underspend be transferred to the HRA reserve be approved.

(3) That the carry forward of the combined Schools' balance of £1.401M in accordance with DfE regulations be noted.

(4) That the reserves position as set out in Section 3.12 of the report submitted be noted.

(5) That the capital outturn and funding position, as set out in Section 3.13 and Appendix One, of the report submitted be noted.

(6) That the inclusion into the capital programme of new schemes funded by external resources, as set out in Appendix One of the report submitted, be noted.

167. MAY FINANCIAL MONITORING REPORT 2018/19

Consideration was given to the report which set out the financial position for the Revenue and Capital Budgets at the end of May, 2018 based on actual costs and income and forecasts for the remainder of the financial year. This was the first of a series of monitoring reports for the 2018/19 financial year which would 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 was essential if the Council's objectives were to be achieved. Financial performance was a key element within the assessment of the Council's overall performance framework.

As at May 2018 the Council had a net forecast year-end overspend of £5.8M on the General Fund, after taking account of the £10M budget contingency approved within the 2018/19 budget and the actions currently underway to address budget pressures, particularly in Children and Adult's Social Care

Children and Young People's Services continued to overspend against budget in 2018/19. The number of children in care was still increasing, 23.3% since May 2017 (from 509 to 628). This was exacerbated by the number of high cost placements that had arisen from a combination of complex child protection cases and Operation Stovewood. This had also placed significant and unavoidable pressure on Legal Services within the Finance and Customer Services Directorate with a current forecasted overspend for Legal Services of £1.010M.

Management activity was underway to identify areas of overspend and put in mitigating measures in place whilst maintaining service delivery. The overall budget position would continue to be closely monitored with provision of regular updates through the financial monitoring reports.

Within the 2018/19 budget, new savings of £15.2M were required to achieve a balanced budget. This was in addition to £6.5M of savings that were approved in prior years for delivery in 2018/19 making a total savings requirement of £21.7M. Progress in delivery of the savings was reflected in the forecast overspends and supporting narratives of the Directorates. Currently all savings were either on track or mitigating actions in place with the exception of savings in Adult Social Care and a small amount in Children and Young People's Directorate.

The forecast overspend should be set against a backdrop of the Council having successfully addressed cost pressures of £162M between 2011/12 to 2017/18, the requirements to save a further £21.7M in the current year and to deliver a further £30M of efficiencies and savings in the following two financial years in order to meet the estimated budget gaps to 2020/21.

Rotherham's schemes for Supporting Small Businesses and Support for Pubs based on Government guidance for those schemes had been agreed. However, the Government did not provide any detailed guidance for Revaluation Support but gave each Council a fixed amount of grant to be distributed to businesses based on locally developed criteria. Rotherham Council have received £365k for 2017/18 and Cabinet agreed Rotherham's criteria for distributing the grant in November, 2017.

Any grant which was not distributed to businesses would be clawed back by the Government and following reviews of grant applications against the original criteria, which indicated less than expected take-up of the grant, revised criteria.

A balance of grant still remained available for award. Businesses were being contacted to make them aware that the grant was available and the Council was confident all of the funding would be used.

The Deputy Leader referred to the unprecedented growth in the number of looked after children which had seen a further rise and compounded by the increasing complexity of children admitted into care. The number of "Special Guardianship Orders" was also rising, but whilst there was a cost associated with this, the outcome was positive with permanency being provided within a family setting. Officers would continue to work closely to bring the overspends under control.

The Cabinet Member for Waste, Roads and Community Safety pointed out whilst there was a net forecast year-end overspend this echoed the national picture that many Councils were facing. It was important to highlight that the Council would endeavour to ensure the most vulnerable were protected, but would have less resources moving forward.

It was also pointed out that there was a £150k pressure on Licensing due to additional legal costs and fees.

The Cabinet Member for Adult Social Care and Health confirmed social care funding was of concern, but recognised the increasing pressures against the delivery of savings.

The Council would continue to face increasing pressures with over a third of its budget lost through savings, but would continue to have further implications for financial years 2019/20 and 2020/21 where the Medium Term Financial Strategy identified a further £30M as being required to balance the budget.

Resolved:- (1) That the current General Fund Revenue budget forecast overspend of £5.8M be noted.

(2) That the management actions that continue to be developed to address areas of overspend be noted and alternative and additional savings be identified to mitigate shortfalls in achieving planned savings in 2018/19.

(3) That the Capital Programme position and Treasury Management key indicators for the first quarter of 2018/19 be included within the financial monitoring report to be submitted in September, 2018.

(4) That the changes to the Business Rates Revaluation Support Scheme, as set out in paragraphs 3.67 to 3.68 of the report, be approved and that any further changes which may be required be delegated to the Strategic Director, Finance and Customer Services in consultation with the Cabinet Member for Corporate Services and Finance.

(5) That the virement of budget within Children and Young People's Services of £500k to Special Guardianship Orders from the placements budget, as referenced in paragraphs 3.2.8 to 3.2.14 of the report, be approved.

168. ANNUAL TREASURY MANAGEMENT REPORT AND ACTUAL PRUDENTIAL INDICATORS 2017/18

Consideration was given to the Annual Treasury Management Report, which was submitted to review the treasury activity for 2017/18 against the strategy agreed at the start of the year.

The report covered the actual Prudential Indicators for 2017/18 in accordance with the requirements of the Prudential Code. The report met the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. It was noted that the Council was required to comply with both Codes through Regulations issued under the Local Government Act 2003.

Resolved:- (1) That the Treasury Management Prudential Indicators outturn position as set out in Section 3 and Appendices A and B of the Annual Treasury Management Report for 2017/18 be noted .

(2) That the report be forwarded to Audit Committee for information

169. NEW APPLICATIONS FOR BUSINESS RATES DISCRETIONARY RELIEF

Consideration was given to the report which set out in detail three applications for the award of a business rate discretionary relief.

Resolved:- (1) That 20% discretionary top up relief be awarded to Bramley Scouts, 62A main Street, Bramley Rotherham S66 2SQ for the period 1st April, 2018 to 31st March, 2019.

(2) That 20% discretionary top up relief be awarded to Rotherham Talking Newspaper, Park Hall, Victoria Park, Rosehill Road, Rawmarsh, Rotherham S62 7HJ for the period 1st April to 31st March, 2019.

(3) That 20% discretionary top up relief be awarded to Magna Trust, Templeborough, Rotherham S60 1DX for the period 21st February 2018 to 31st March, 2019.

(Councillor Lelliott declared a personal interest on the grounds of attending the Magna Board, but in a non-executive capacity)

170. MODERN METHODS OF CONSTRUCTION PILOT TO BUILD AFFORDABLE HOMES

Consideration was given to a report proposing the delivery of twelve bungalows for older people through a pilot to test alternative modern construction methods. Funding for the pilot would come from the Housing Revenue Account and, subject to confirmation, grant funding from the Sheffield City Region's Housing Fund.

'Modern methods of construction' (MMC) was a generic term used to cover several different types of homes that were manufactured in a factory environment and either fully or partially assembled in the factory, or the component parts were assembled on site. MMC could provide an efficient alternative to traditional construction methods.

Until the procurement exercise had been completed, it was not possible to analysis property lifespan and lifecycle costings. A robust appraisal would be carried out to ensure the property demonstrated long term value for money to the Council.

The proposal for each site was set out below:-

- Symonds Avenue, Rawmarsh – eight bungalows.
- Hounsfield Crescent, East Herringthorpe – two bungalows.
- Hounsfield Road, East Herringthorpe – two bungalows.

The bungalow sites were either low demand garage sites or undeveloped HRA land, which have varying degrees of nuisance issues. If this pilot proved to be successful this could provide a delivery route for many of the other 200-300 HRA owned small sites in the borough. Whilst groundworks and the construction of foundations were still required, the homes could be delivered to the site as completed units (depending on the specific product). Consequently the number of traffic movements to and from site was reduced as there were fewer large delivery vehicles.

Relevant Ward Members had been briefed

The estimated project costs were set out in Appendix 2, but it was noted the funding for the MMC was via HRA Revenue Reserves and Sheffield City Region.

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, but were asking Cabinet to consider aligning this project with the work of the Scrutiny Task and Finish Group on housing to avoid duplication and for future proposals to detail how the Council would market and promote the benefits of modern methods of construction for affordable homes.

Resolved:- (1) That the use of the identified sites to deliver affordable housing using modern methods of construction be approved.

(2) That a further report be submitted to the November 2018 Cabinet meeting detailing the outline business case, recommending contract partners and seeking approval for the use of Housing Revenue Account capital resources for the pilot up to maximum of the amount set out in Appendix 2 of the report submitted following a procurement exercise.

(3) That this project be aligned with the work of the Scrutiny Task and Finish Group on housing to avoid duplication.

(4) That future proposals set out in detail how the Council would market and promote the benefits of modern methods of construction for affordable homes.

171. DELIVERY OF HOUSING ASSOCIATION HOMES ON HOUSING REVENUE ACCOUNT SITES

Consideration was given to the report which sought approval to transfer four parcels of Housing Revenue Account (HRA) land to Arches Housing Association and one parcel of HRA land to Johnnie Johnson Housing Association.

The sites to transfer to Arches Housing and Johnnie Johnson Housing Associations would result in the delivery of twenty-two new homes for affordable rent and the Council would receive nomination rights to the properties. The total scheme cost for the Arches development and the Johnnie Johnson represented £3.23m of investment into the borough. Both organisations would request grant funding from Homes England to support their schemes. This funding was time bound and all the developments have to be completed by March, 2021 or the funding offer would be withdrawn.

Evidence of demand for these properties was strong. Housing needs data showed that there were over 6,000 people on the waiting list across the borough.

Delivery of affordable housing schemes was always financially challenging and both housing associations have requested a land transfer for the value of £5K per plot. This reduced land value was in line with funding guidance issued by Homes England, and the Council's longstanding custom and practice, to enable housing associations to develop new affordable homes in Rotherham. The full open market values for each site have been calculated as well as the reduced transfer values.

Local Ward Members have been consulted on the proposals and their feedback taken into account.

Cabinet Members supported these proposals and any scheme that would reduce the waiting list for properties across the borough was welcomed.

Resolved:- (1) That the transfer of four parcels of HRA land as detailed above to Arches Housing Association for £5K per plot value be approved.

(2) That the transfer of one parcel of HRA land at Orchard Place, West Melton for £5K per plot value be approved.

(3) That the transfer of four parcels of HRA land as detailed above to Arches Housing Association for £5K per plot value be approved.

(4) That the transfer of one parcel of HRA land at Orchard Place, West Melton for £5K per plot value be approved.

172. STREET CLEANSING ALLOCATION OF CAPITAL EXPENDITURE

Consideration was given to the report that detailed that as part of the Budget and Council Tax 2018/19 £610,000 of Priority Capital Investment monies were identified for 'Street Cleansing Equipment and Bins'. This investment was intended for service improvements for cleansing and bins with options for Solar Compactor Bins to be explored.

This report, therefore, sought approval to spend £408,500 of this allocation on a range of capital investments in street cleansing equipment and bins, balancing the need for short-term investment in 'traditional' approaches, and the longer term need to assess more innovative approaches to litter bin provision. In particular, the project sought to pilot the provision of solar litter bins, in order to assess their potential to support wider investment in litter bin provision, via the delivery of efficiencies in operational street cleansing services and increased advertising revenues.

Resolved:- (1) That £408,500 of Capital Expenditure be released for investment in Street Cleansing Equipment and Bins.

(2) That the proposed approach to expenditure of the Capital Investment in Street Cleansing Equipment and Bins be approved, as outlined in Section 4.10 to 4.13 below.

(3) That the Assistant Director of Community Safety and Street Scene be authorised to make all necessary arrangements for the delivery of the proposed approach, in consultation with the Cabinet Member for Cleaner, Greener Communities.

173. STRATEGIC PROPERTY - RIVERSIDE HOUSE LEASE

Consideration was given to a report which sought approval to restructure the lease for Riverside House and to delegate the final details and future lease arrangements for Riverside House to the Strategic Director for Regeneration and Environment, in consultation with the Strategic Director for Finance and Customer Services and the Assistant Director for Legal Services.

In September 2011 the Council entered into a 35 year lease for Riverside House and this was a commercial full repairing and insuring lease with fixed rate five year rent reviews and no break clause.

There were restrictions within the lease, the main restriction being the use to which the building could be utilised, with further restrictions on subletting parts of the building. There was also a requirement to obtain Landlord's permission to modify or make any additions or alterations to the building.

The lease had 28 years of the 35 year term remaining. An opportunity had arisen via the Landlord to restructure the lease. The basis of the restructure would be that the existing lease be extended by a further seven years, though the rent payable and rent review clause, along with user clause, would be revised. The restructured lease would also contain the provision that at the end of the 35 year term the ownership of the building and site would revert to the Council for £1.

Under the current lease at the end of the 35 year term the Council would have to return the building to the Landlord in a state of repair and at an agreed specification, which could include the payment of any dilapidations claim. There would also be the need to either negotiate a further lease with the Landlord or seek alternative premises.

Under the terms of the existing lease and the terms of the proposed restructure the Council was responsible for all the property running costs including repairs, maintenance and insurance.

The lease restructure would allow the Council more freedoms and flexibilities in the use of the building, along with full flexibility on sub-lease arrangements which would offer future income generation opportunities. The proposal would also deliver annual revenue savings to the Council.

Cabinet Members welcomed this significant opportunity to review the costs associated with Riverside House and the securing of a long term deal.

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, that an "in principle" decision be made to approve the restructure of the lease arrangement for Riverside House and delegate authority as outlined in the published officer recommendations and that efforts to co-locate more public services within Riverside House be supported.

Resolved:- (1) That the restructure of the lease for Riverside House be approved, in principle, and authority to sign the final terms of the agreement be delegated to the Strategic Director for Regeneration and Environment, in consultation with the Cabinet Member for Jobs and the Local Economy, the Strategic Director for Finance and Customer Services and the Assistant Director for Legal Services.

(2) That the Assistant Director of Legal Services be authorised to negotiate and complete the necessary legal agreements.

174. ALLOTMENTS SELF MANAGEMENT

Consideration was given to a report which detailed how 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 Rotherham and District Allotments Association (RaDAA) had embraced the opportunity to engage with the Council to jointly review how the allotment service was managed, and what steps might be taken to overcome current challenges, including remodelling the service to secure the best possible outcomes for allotment users within the limited available resources.

The review had 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 had concluded that the adoption of a self-management model offered best prospects for service improvement and involving allotment users more in this.

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 the Improving Places Select Commission receiving an update on the implementation of this project, at a time to be agreed by the Chair and Vice-Chair of the Select Commission.

Resolved:- (1) That Council adopt a new vision and specification for allotments, as proposed in this report.

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

(3) That the Improving Places Select Commission receiving an update on the implementation of this project, at a time to be agreed by the Chair and Vice-Chair of the Select Commission.

175. COMMUNITY ENERGY SWITCHING SCHEME

Consideration was given to a report which sought approval to assess the feasibility of developing a community energy switching scheme in Rotherham to reduce the number of people in Rotherham paying high tariffs for gas and electricity.

Various options were considered as part of the report and it was recommended that Option 3 be progressed as the outcome of the feasibility study and subsequent development of a Community Energy Switching Scheme could reduce the number of people in Rotherham paying high tariffs for gas and electricity.

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, for Cabinet to encourage officers to deliver this project swiftly and subject to the outcome of the study, consideration be given to the marketing and promotion of the scheme

Resolved:- (1) That a detailed feasibility study be undertaken in order to assess the viability of developing a Community Energy Switching Scheme.

(2) That a detailed feasibility report be brought back to Cabinet for consideration.

(3) That officers be encouraged to deliver this project swiftly.

(4) That, subject to the outcome of the study, consideration be given to the marketing and promotion of the scheme

176. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Consideration was given to the circulated report, the contents of which were included as part of the relevant items and the details included accordingly.

Summary Sheet

Committee Name and Date of Committee Meeting

Council – 25 July 2018

Report Title

Allotments Self-Management

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

All

Summary

At its meeting on 9 July 2018, the Cabinet considered a report detailing proposals for a self-management model for allotments which contained 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 original report providing detail to the proposals is appended in order to provide Members with sufficient knowledge to agree the proposals.

In order to give effect to the recommendations from Cabinet, consideration and approval by Council must be given to the recommendation set out below.

Recommendations

1. That the new vision and specification for allotments be adopted.
2. That approval be given to the transfer of management of council-owned allotments to a new borough-wide self-management body 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.

List of Appendices Included

- Appendix A Report to Cabinet and Commissioners' Decision Making Meeting (9 July 2018) – Allotments Self-Management
- Appendix 1 Allotments Plot-holder Survey Findings
- Appendix 2 Allotments Site Audit Results
- Appendix 3 Preferred Self-Management Model

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Cabinet and Commissioners' Decision Making Meeting – 9 July 2018
Overview and Scrutiny Management Board – 4 July 2018

Council Approval Required

Yes

Exempt from the Press and Public

No

Summary Sheet

Name of Committee and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 9 July 2018

Report Title

Allotments Self-Management

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 & Environment Services

Report Author(s)

Phil Gill, Leisure and Green Spaces Manager
01709 822430 or philip.gill@rotherham.gov.uk

Ward(s) Affected

All

Executive Summary

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 recognises the pressure the service has 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.

Recommendations

1. That the Council be recommended to adopt a new vision and specification for allotments, as proposed in this report.

2. That the Council be recommended to approve the transfer of management of council-owned allotments to a new borough-wide self-management body, and authorises officers to work with Rotherham and District Allotments Association, Voluntary Action Rotherham and others to establish a Community Benefit Society for this purpose.

List of Appendices Included

Appendix 1 Allotments Plot-holder Survey Findings
Appendix 2 Allotments Site Audit Results
Appendix 3 Preferred Self-Management Model

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 4 July 2018

Council Approval Required

Yes

Exempt from the Press and Public

No

Allotments Self-Management

1. Recommendations

- 1.1 That the Council be recommended to adopt a new vision and specification for allotments, as proposed in this report.
- 1.2 That the Council be recommended to approve the transfer of management of council-owned allotments to a new borough-wide self-management body, and authorises officers to work with Rotherham and District Allotments Association, Voluntary Action Rotherham and others to establish a Community Benefit Society for this purpose.

2. Background

- 2.1 The Council's Culture, Sport and Tourism Service manages 30 allotment sites, including 13 that are leased to allotment societies, 13 that are directly managed, and 4 that are currently inactive. There are 1,107 plots in total across these sites, of which 592 are on society sites, and 515 are on directly-managed sites.
- 2.2 In recent years there has been a need to manage the service within increasingly limited resources. This has involved a series of above-inflation rent increases generating additional income that has allowed a gradual reduction in Council subsidy. The replacement of core funding with the income from increased rental fees has enabled the Council to deliver a saving without reducing the operational budget for the service since 2012/13. These fee increases have been a concern within the allotment community, as they may make the activity less attractive and affordable for some, and could reverse recent growth in the number of allotment gardeners.
- 2.3 Nationally and locally there is growing interest in the potential role of mutual and co-operative approaches in the future delivery of services. Additionally, the Council is committed to developing Neighbourhood Working to achieve improved efficiency and more responsive services built on greater local accountability and engagement.
- 2.4 Consequently, the Council has undertaken an Allotments Review with the following aims:-
 - assess strengths and weaknesses of the current service;
 - define a sustainable vision and specification for what the service should be, including financial self-sufficiency, opportunities for investment and allowing users a greater say in how allotments are managed and operated;
 - identify and evaluate possible alternative service models, including mutualisation;
 - recommend a preferred option for future service delivery;
 - develop an action plan for the implementation of any changes recommended by the review.

- 2.5 The Rotherham and District Allotments Association (RaDAA) has embraced the opportunity to engage with the Council to jointly review how the allotment service is managed, and what steps might be taken to overcome current challenges, including remodelling the service to secure the best possible outcomes for allotment users within the limited available resources.
- 2.6 The Review focuses on the Allotment Service provided by the Culture, Tourism and Sport service of the Council and does not include sites and services provided by Parish Councils or others. It includes sites managed directly by the Council, as well as those leased by the Council to allotment societies who then sub-let plots to individuals.
- 2.7 The Review has proposed a new vision for allotments, as follows:-
“Rotherham’s allotments will allow and encourage people of all backgrounds and abilities to enjoy gardening in safe, secure, accessible and sustainable surroundings, and will make efficient use of available land and resources to ensure that the service is financially self-sufficient whilst being affordable to those who want to use it.”
- 2.8 The Review has also developed a specification to describe what a good allotments service should look like, as follows:-
- Provide sufficient land for allotments
 - Ensure sites are safe and secure, and have well-maintained facilities and infrastructure
 - Manage tenancies efficiently, including letting vacant plots quickly
 - Communicate with plot-holders and allow them to be involved in key decisions
 - Promote benefits of allotment gardening to the wider population
 - Ensure financial probity, and compliance with all relevant laws and regulations

3. Key Issues

- 3.1 A combination of above-inflation rent increases and revenue and capital resource limitations affecting the quality of the allotment service delivered by the Council has caused concern amongst many tenants, and prompted consideration of new ways to achieve service improvements within available resources.
- 3.2 Analysis of consultation results and information from other local authority areas suggests that self-management offers a number of benefits, including more efficient plot-letting, fewer overgrown vacant plots, increased rental income, faster response to site issues, better communication with individual tenants, increased efficiency through use of volunteers, ability to access external funding, and scope to harness the enthusiasm, experience and local knowledge of volunteers to promote allotment gardening and to build capacity amongst fellow gardeners. Further information about allotment user consultation is given in Appendix 1.

- 3.3 An audit of allotment sites has identified a significant amount of improvement work that would be needed to bring some areas of land into a usable condition, and to bring security, access, buildings and other site infrastructure up to a good standard. This is one of a number of risks of self-management discussed in Section 13 of this report. Further information about the allotment site audit is given in Appendix 2.

4. Options considered and recommended proposal

- 4.1 **Option 1.** Continue with the existing model in which the Council leases allotment sites where there is sufficient capacity and interest amongst allotment gardeners to form and sustain societies, and manages other sites directly.

Whilst this is a low-risk option, as it continues a tried and tested approach, it would not address the current difficulties the Council has in improving service standards within available resources, neither would it protect against the risk of continued service pressures as the Council has to find further budget savings.

- 4.2 **Option 2.** Appoint a commercial contractor to manage allotment services on behalf of the Council.

This might bring some benefits where a contractor is able to draw on company-wide expertise and resources to drive improvement. However, it is unlikely that it would be a viable option in Rotherham because the commercial value of a contract focussing solely on allotments would be very small, and therefore unlikely to allow firms to commit the resources necessary to deliver sought-after improvements. Additionally, it would not increase the level of self-management.

- 4.3 **Option 3.** Develop a new model involving the creation of a new borough-wide self-management body, capable of employing staff, whilst also allowing existing allotment societies to continue to manage individual sites. A Community Benefit Society would be a suitable legal form for such a body. Further details of how this arrangement would work are given in Appendix 3.

This option would spread the benefits of self-management across all allotment sites. A borough-wide body would enable efficient and joined-up working and provide a stronger, more unified voice for allotments in Rotherham.

- 4.4 **Recommended proposal.** Option 3 responds to the particular circumstances and issues identified by the Allotments Review. It is judged to offer the best prospects for the achievement of the agreed vision and specification for an allotments service. It is therefore recommended as the preferred option. This report refers to the proposed borough-wide self-management body as the 'Allotments Alliance', although this is just a working title.

5. Consultation

- 5.1 Rotherham and District Allotments Association (RaDAA) is a well-established body whose membership comprises allotment societies within the Rotherham area, including those that lease sites from the Council. The Review Project Team has included representatives of RaDAA, allowing them to be part of detailed discussions of the findings and conclusions throughout the process.
- 5.2 Extensive consultation with allotment plot-holders has also been carried out as part of the review. A total of 1,077 questionnaires were sent out, generating 282 responses (26.2% return rate). Evidence from this has been central to the identification of improvement priorities. See Appendix 1 for details.
- 5.3 Officers in Legal Services, Finance, Human Resources and Performance, Policy and Improvement have been consulted on proposals arising from the review.
- 5.4 Voluntary Action Rotherham (VAR) has been made aware of the Review and the proposal to adopt a self-management model. They have confirmed that they will be able to provide appropriate advice and support to those involved in developing detailed proposals for an Allotments Alliance. Specialist advice, e.g. HR and TUPE, may have a cost attached.
- 5.5 The National Allotment Society has been consulted on the proposal. They have indicated their support for the principle of self-management, and have advised on the various legal forms that a new allotments body might take. They have also expressed a willingness to provide further support and advice during the implementation of the recommendations of this report.
- 5.6 Staff from the Council's Green Spaces team, including the current Allotments Officer have contributed to the review process and have been involved in discussions about the existing service and possible alternative models.

6. Timetable and Accountability for Implementing this Decision

- 6.1 The Assistant Director, Culture, Sport and Tourism will be accountable for implementing this decision. The Leisure and Green Spaces Manager will lead the formation of a Shadow Management Committee involving allotment user representatives working with Council officers to develop and implement detailed arrangements for a new Allotments Alliance.

6.2 The anticipated timescale for implementation is as follows

- July 2018 - Cabinet Decision to establish borough-wide self-management body for allotments service
- July 2018 - 'Allotments Alliance Shadow Management Committee' formed
- July 2018 to January 2019 - Shadow Management Committee develops Lease Heads of Terms, Society Objects and Rules, and prepares for transfer of tenants' personal data to new body in accordance with General Data Protection Order.
- January to March 2019 - Preparation and submission to Financial Conduct Authority of registration application.
- March 2019 - Allotments Alliance formally established
- April 2019 - Transfer management of council-owned allotments to Allotments Alliance

It must be noted however, that this is an ambitious timetable and may be subject to change as the process to roll out the preferred option is implemented.

7. Finance and Procurement Implications

- 7.1 The income received from rents is currently less than the costs incurred in delivering the service. Rent increases of 2.2% and 3.0% have already been agreed for 2018-19 and 2019-20 respectively by the Cabinet and Commissioners' Decision Making meeting, as it is a legal requirement that allotment rents are set 12 months in advance.
- 7.2 If the proposed self-management model is adopted, then all costs and income would be controlled by the relevant bodies. Where a site is managed by an Allotment Society, then they will collect rent from individual plot-holders. A proportion of this will be used to pay rent to the Allotments Alliance allowing it to fund its activities, including the employment of staff. Where the Allotments Alliance manages sites directly, then they will collect rent from plot-holders themselves.
- 7.3 The Review has found that extensive works are required to address existing liabilities on allotment sites and to bring uncultivable areas of land to a satisfactory standard for gardening where necessary to meet demand. Whilst detailed costings for these works are not currently available, it is possible that investment of up to £1m may be required over time. All essential health and safety work is currently undertaken as required, so none of the outstanding liabilities would need to be resolved urgently. It is suggested that they should be addressed over a period of 10 years following the transfer of allotments management. The proposed model envisages that the Allotments Alliance and Societies will be responsible for prioritising future investment and securing funding for this. It is possible they may approach the Council for assistance.

- 7.4 The Allotments Alliance and Societies will be responsible for putting in place any necessary insurance cover, including Public Liability and, if appropriate, Employer's Liability insurance.
- 7.5 There will some one-off costs associated with the implementation of a new self-management model. These cover legal costs, specialist advice and the cost of registering the new body. It is estimated that these costs would be circa £18.5k. These costs would need to be managed within the overall Regeneration & Environment budget.
- 7.6 The rules for payment of VAT on supplies will depend on how the Allotments Alliance and Societies are set up, and whether they are VAT registered. The possible impact of VAT on finances will therefore need to be considered as further details are confirmed for new self-management bodies.
- 7.7 There are no direct procurement implications arising from this report.

8. Legal Implications

- 8.1 The introduction of self-management arrangements will not affect the Council's statutory duty under Section 23 of the Small Holdings and Allotments Act 1908 to provide land for allotments.
- 8.2 It is proposed that any land acquired by the Council for allotments will be leased to the Allotments Alliance, who may then sub-let it to allotment societies. This will not affect the statutory protection of such land afforded by Section 8 of the Allotments Act 1925.
- 8.3 A range of possible legal forms for the proposed Allotments Alliance have been assessed. A Community Benefit Society is believed to be the most suitable available form, as it allows democratic decision making by its membership, it is a legal entity that can make contracts and employ people, and it limits the liability of individual members. It is also a tried and tested model and is suitable for charitable status. Further details of this assessment are given in Appendix 3.
- 8.4 New allotment societies will need to identify the most appropriate legal structure to suit their own circumstances in each case. Specialist legal advice on such matters is available from the National Allotment Society to its members.

9. Human Resource Implications

- 9.1 Two posts within the current Council staff establishment are involved in allotment service delivery. If the proposed adoption of a self-management model takes place then any posts involved in operational delivery of the allotment service will no longer be needed within the Council but there may be a case for a TUPE transfer. The Council will still need to manage the relationship with the new Allotments Alliance. Once the implications of the new model are understood, the post-holders may be at risk of redundancy.

- 9.2 Alternatively, depending on the activities of the Allotments Alliance and the role of any staff to be employed, the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 (commonly known as TUPE) may apply. If TUPE is deemed to apply, this would involve the transfer of the one affected employee to the Allotments Alliance. Further advice will be needed during the setting up of the Alliance to determine any TUPE implications.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 Whilst the proposed introduction of a self-management model would not have any direct implications for children, young people and vulnerable adults, it is proposed that the Allotments Alliance should include at least one representative of these communities to champion their involvement in the development and use of allotments.

11. Equalities and Human Rights Implications

- 11.1 The agreed vision for Rotherham's allotments states that they will allow and encourage people of all backgrounds and abilities to enjoy gardening. This would need to be re-stated as one of the founding principles of the Allotments Alliance to ensure that its policies and actions are underpinned by a commitment to strive for equality and respect for people's human rights.

12. Implications for Partners and Other Directorates

- 12.1 There are no direct implications for partners or other directorates arising from this report.

13. Risks and Mitigation

- 13.1 Principal risks and associated mitigation measures are as listed below.
- 13.2 Lack of volunteers. The successful operation of a self-management model depends on volunteers being willing to take on positions of responsibility. If insufficient volunteers come forward then it may impair the ability of the Allotments Alliance and societies to function effectively, and increase workloads for other volunteers. Such a situation could eventually lead to the winding up of the body, as happened recently to a local allotment society.
- 13.3 Mitigation. Ensure support is available where necessary to help inspire potential volunteers, to promote volunteering opportunities, to deal with any problems that may occur, and to build volunteer leadership skills. The Council can help to signpost such support from organisations such as Voluntary Action Rotherham, and the National Allotment Society.

- 13.4 Lack of expertise amongst volunteers. Whilst volunteers may be able to deal with many day-to-day matters, it is less likely that they will have the breadth of knowledge and experience needed during the setting up of an Allotments Alliance, or to deal with all situations that may arise thereafter. Failure to address such issues effectively could prove costly and time-consuming, and affect the achievement of wider objectives.
- 13.5 Mitigation. Voluntary Action Rotherham has expressed a willingness to provide advice to volunteers involved in setting up and running the Allotments Alliance. Professional advice on legal and other specialist matters is available to members of the National Allotment Society. Training of selected volunteers and any staff employed by the Allotments Alliance is advisable, as this will equip them to provide support to, and mentor other volunteers across all sites as needed.
- 13.6 Inability to form Allotment Societies for individual sites. Currently, half of the active Council-owned allotment sites are managed by Societies. These tend to be larger, better-equipped sites. Elsewhere, it may be difficult to form Allotment Societies, particularly at smaller sites with few plot-holders.
- 13.7 Mitigation: The proposed model would require the Allotments Alliance to manage sites directly where a society does not exist. Proposed Area Clusters would provide a means to involve people with good local knowledge in this. If a site is too small to sustain its own Society, then it may be possible to form a Society covering more than one site.
- 13.8 Refusal of Allotment Societies to participate in the Alliance model. The operation of the Allotments Alliance including the employment of staff would depend on the income from rents covering its costs. If any Allotment Societies refuse to participate in this model and keep all the rent they collect for their own use, then it would threaten the financial viability of the Alliance.
- 13.9 Mitigation: The proposed model would require all Allotment Societies to rent sites from the Allotments Alliance. The Council would no longer lease sites directly to Societies. Thus a proportion of rent collected by all Societies would be passed on to the Allotments Alliance to allow it to operate. Societies and their members would be able to influence how the Alliance spends its budget.
- 13.10 Poor performance by self-management bodies. The introduction of a new self-management model is intended to improve allotment service standards. Whilst the Review has found that self-management normally delivers better outcomes, this cannot be assumed.
- 13.11 Mitigation: By agreeing a set of performance indicators and putting in place a monitoring system, the Allotments Alliance would be able to identify any Societies that appear to have difficulty maintaining standards, and provide support if necessary. Ultimately, the Alliance could terminate a Society's lease and take over control of the site if all else fails. The Alliance would also need to monitor and report its own performance and take action if this falls below standards agreed by its membership.

- 13.12 Improper conduct by people within self-management bodies. The transfer of control and responsibility that would come with the setting up of a self-management model may lead to the misuse of resources, fraud, individuals acting outside their authority or other misconduct. This could cause irreparable damage to people's confidence and trust in the service.
- 13.13 Mitigation. A comprehensive code of conduct must be in place for volunteers and staff working within the Allotments Alliance, and the Alliance must put in place effective measures for monitoring and enforcing this, including a whistle-blowing policy. Independent auditing of accounts will help to identify any irregularities.
- 13.14 Insufficient funds to deal with site liabilities. The Review has found that investment would be needed to bring all allotment sites up to a good standard, and to make all areas of land fit for cultivation.
- 13.15 Mitigation: It is expected that self-managed bodies will be in a strong position to develop successful bids for grant funding. Not only are they able to access funding not available to the Council, but the energy and enthusiasm of volunteers with good local knowledge will also be invaluable in making the case for funding.
- 13.16 Financial insolvency. Evidence from other areas where self-management has been adopted suggests that they can achieve savings and improved outcomes through the involvement of volunteers and more flexible service delivery. However, there is still the possibility that the Allotments Alliance could have unexpected costs that it is unable to cover from regular income, and an inability to pay staff costs and other bills could put the model at risk. Should any staff transfer from the Council to the Alliance, then possible impacts of pension liabilities would also need to be taken into account in assessing the financial viability of the new model.
- 13.17 Mitigation. Proper accounting and cost-control measures will reduce the risk of running out of money. Over time, it is recommended that self-management bodies build up reserves that can be drawn upon in times of need.
- 13.18 Breach of Council's statutory duties re allotments provision. Under the self-management model, the Council will effectively be outsourcing the carrying out of its duties to the Allotments Alliance but not the responsibility itself. This risk is largely mitigated by the fact that the Council will be part of the Allotments Alliance and will accordingly retain some influence and control, although it is not known at this stage how much. Accordingly, there remains the risk, albeit a mitigated one, that the Alliance will fail to carry out these duties thus leaving the Council liable for their failure.
- 13.19 Mitigation. The Council will have representation on the Allotments Alliance and proper reporting and monitoring procedures will have to be set up to ensure the early recognition of any problems and the powers to enforce remediation.

13.20 Programme Slippage. Due to probable complexity of work and negotiations required to reach agreement and readiness to transfer responsibility to the new body.

13.21 Mitigation. Early identification of key tasks and milestones, and provision of necessary capacity-building.

14. Accountable Officer(s)

Polly Hamilton - Assistant Director, Culture, Sport and Tourism.

Phil Gill - Leisure and Green Spaces Manager.

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	22.06.2018
Assistant Director of Legal Services	Stuart Fletcher	19.06.2018
Head of Procurement (if appropriate)		
Head of Human Resources (if appropriate)		

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Appendix 1

Meeting:	Cabinet/Commissioner Decision Making Meeting
Date:	9 th July 2018
Report Title:	Allotments Self-management
Ward	All

ALLOTMENT PLOT-HOLDER SURVEY FINDINGS

1. Background

- As part of a review of the allotment service provided by the Council's Culture, Sport and Tourism Service, a questionnaire was supplied to gardeners on sites managed directly to the Council, and also those on sites leased by the Council to allotment societies.
- The purpose of the consultation has been to gather basic information about allotment users, and to understand their views on a range of issues including allotment rents, strengths and weaknesses of current service arrangements, and possible interest in having a greater involvement in the running of allotments.
- The survey was distributed, by post, directly to plot-holders on directly-managed sites during the week beginning 11th September 2017. Distribution to users of society sites was co-ordinated by Rotherham and District Allotment Association who forwarded sufficient copies to each society secretary for every plot-holder to receive one.
- A total of 1,077 questionnaires were issued.

2. Return Rate

- The overall number of questionnaires returned was 282, or 26.2% of the 1077 total sent out.
- This gives a margin of error of +/- 5.02% at a 95% confidence level (<https://www.snapsurveys.com/support/calculators/margin-error-calculator/>) suggesting that the results of the survey are likely to reflect the views of allotment users generally.
- The return rate from tenants on directly managed sites was better, at 34.1%, than the rate from plot-holders on society sites (19.4%).
- Additionally, 29 (or 10.3%) questionnaires did not make it clear which site the respondent had an allotment on.
- Return rates for individual sites varied widely, as shown in Table 1.

Table 1. Allotment Survey Return Rates by Site

Council-managed	Number Sent	Number Returned	Percentage return rate
Avenue Road	48	14	29.2%
High Street	27	12	44.4%
Highfield Road	5	4	80.0%
Lowfield Avenue	6	2	33.3%
Moor Road	16	5	31.3%
Psalters Lane	5	1	20.0%
Rectory Fields	44	13	29.5%
Rosehill Park	24	9	37.5%
Vicarage Fields	43	19	44.2%
St Leonards Road	10	1	10.0%
Barnsley Rd/Wetmoor Lane	71	22	31.0%
Sub-total	299	102	34.1%
Allotment society-managed	Number Sent	Number Returned	Percentage return rate
Kimberworth Park	28	4	14.3%
Broom Allotments	69	11	15.9%
Broom Valley Old	67	5	7.5%
Clifton Garden Society	130	32	24.6%
Clough Bank	66	3	4.5%
Hartley Lane	83	27	32.5%
Herringthorpe Valley Rd	36	5	13.9%
South St	30	7	23.3%
Wharf Road	30	10	33.3%
Wood Street	33	0	0.0%
Sandymount Road	30	5	16.7%
Scrooby *	80	17	21.3%
Queen St. North	54	8	14.8%
Queen St South	42	17	40.5%
Sub-total	778	151	19.4%
Site not stated		29	
Grand total	1077	282	26.2%

*Note that since the survey took place, the Allotments Society at Scrooby has disbanded, and the site has reverted to direct Council management.

3. Analysis of Responses

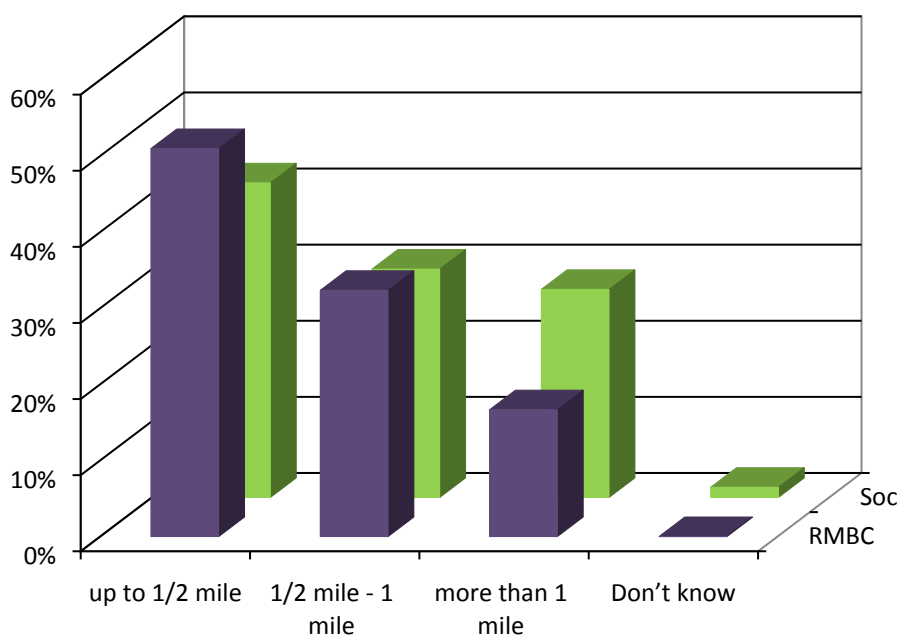
A summary of responses to each question, broken down into directly-managed and society sites is given in following sections. In most cases, percentage scores for different answers are shown graphically to allow quick comparison of directly-managed and society sites.

3.1 Which allotment site do you have a plot on?

Responses to this question are shown in Table 1, and discussed in section 2 above.

3.2 How far is your allotment from your home?

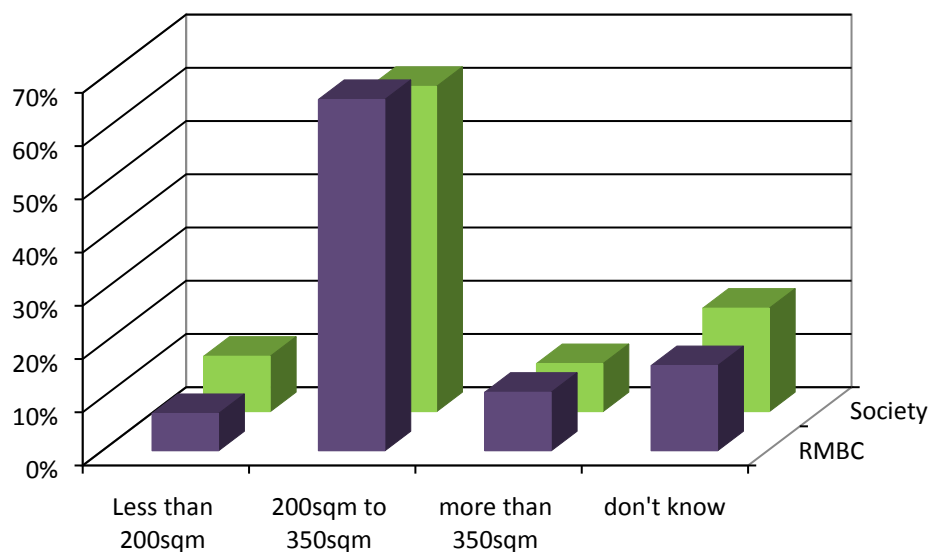
	RMBC	Society	Total
up to 1/2 mile	52	62	114
1/2 mile - 1 mile	33	45	78
more than 1 mile	17	41	58
Don't know	0	2	2
Total	102	150	252



A larger proportion of respondents at society sites live more than a mile from their allotment plots, whilst those at directly managed sites tend to live closer to their plots.

3.3 What size is your allotment plot?

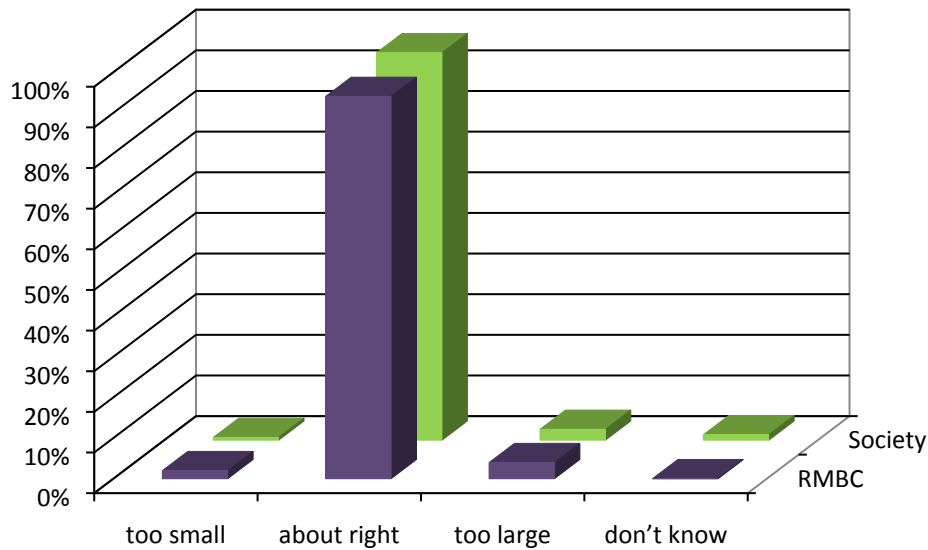
	RMBC	Society	Total
Less than 200sqm	7	15	22
200sqm to 350sqm	66	88	154
more than 350sqm	11	13	24
don't know	16	28	44
Total	100	144	244



A large majority of respondents at both society and directly-managed sites still have a 'traditional' sized plot.

3.4 Is your allotment plot the right size?

	RMBC	Society	Total
too small	2	1	3
about right	95	143	238
too large	4	4	8
don't know	0	2	2
Total	101	150	251

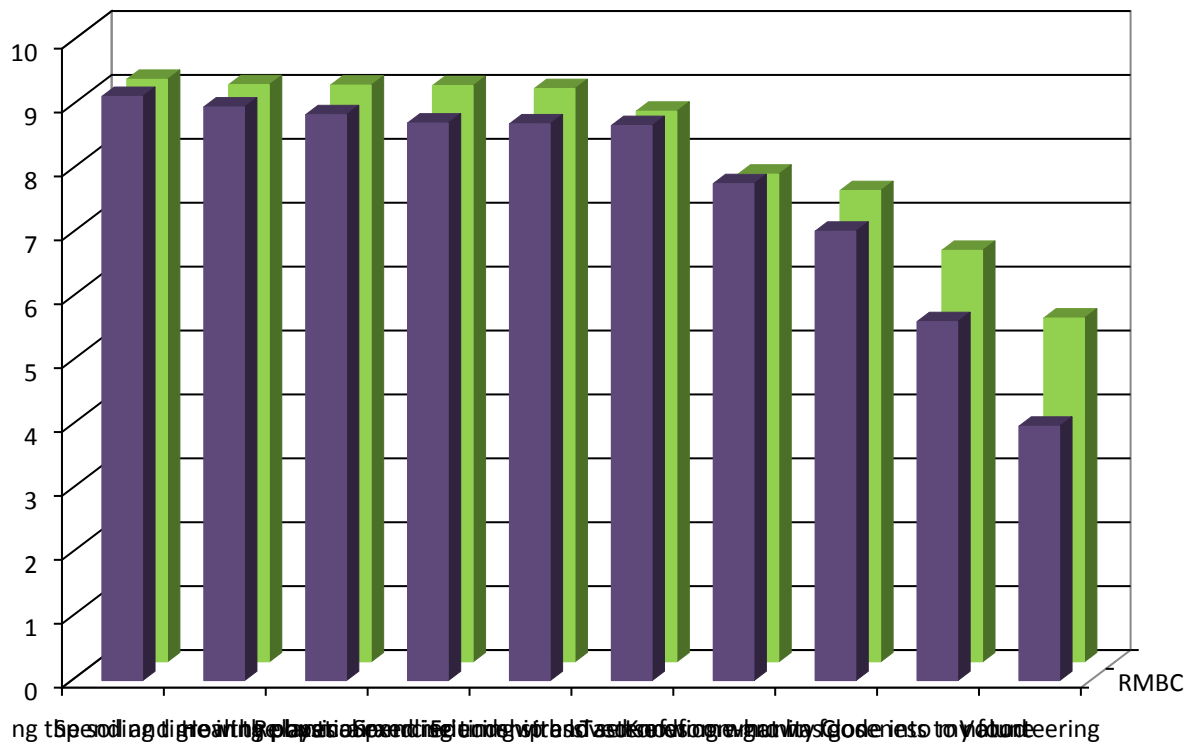


Respondents are almost all happy with the size of their current plots which, as noted above, are mostly traditional full-size plots. However, concerns have been expressed in recent years that the cost and amount of work involved in keeping a plot of this size might put some people off, and therefore it is possible that the views of current allotment users do not reflect the views of non-users who might consider taking on a smaller plot if more were available.

3.5 How important to you are the following possible benefits of having an allotment?

Possible responses to this question are 'Very Important', 'Important', 'Slightly Important', 'Not at all Important' and 'Don't know'. Average numeric scores were calculated using the methodology shown in section 5 below. Thus, a higher numeric score indicates that more people viewed the benefit as being more important.

	RMBC	Society
Enjoy tending the soil and growing plants	9.14	9.12
Spending time in the open-air	8.98	9.03
Healthy physical exercise	8.86	9.02
Relaxation and reducing stress	8.73	9.02
Spending time with loved-ones	8.71	8.97
Friendship and sense of community	8.69	8.62
Taste of home-grown food	7.78	7.63
Knowing what has gone into my food	7.03	7.37
Closeness to nature	5.62	6.44
Volunteering	3.98	5.38



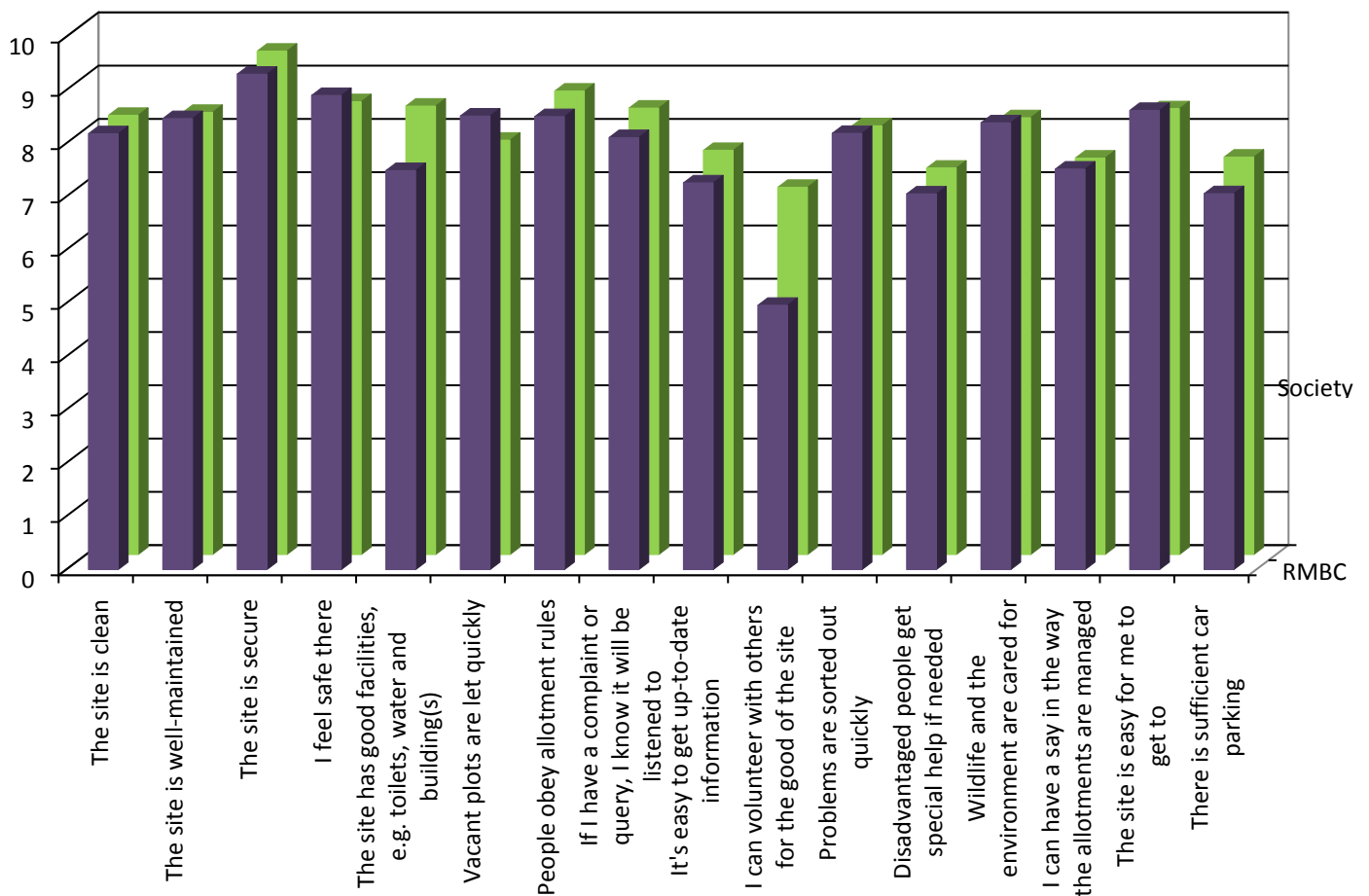
Responses from people on directly-managed sites and society sites were very similar, with 'enjoying tending the soil and growing plants', 'spending time in the open-air', 'healthy physical exercise', 'relaxation and reducing stress', 'spending time with loved-ones' and 'friendship and sense of community' being the main reasons people enjoy the activity. 'Taste of home-grown food' and 'knowing what has gone into my food' are slightly less important, followed by 'closeness to nature'. 'Volunteering' was seen as the least important aspect of allotment gardening for respondents from both directly-managed and society sites.

3.6 Thinking about the way the allotments are managed, how important are the following things to you?

As in the previous question, possible responses are 'Very Important', 'Important', 'Slightly Important', 'Not at all Important' and 'Don't know'. A similar numeric analysis has been performed to give the scores shown below.

	RMBC	Society
The site is clean	8.18	8.24
The site is well-maintained	8.47	8.30
The site is secure	9.30	9.45
I feel safe there	8.90	8.50
The site has good facilities, e.g. toilets, water and building(s)	7.49	8.42
Vacant plots are let quickly	8.51	7.78

	RMBC	Society
People obey allotment rules	8.50	8.70
If I have a complaint or query, I know it will be listened to	8.11	8.38
It's easy to get up-to-date information	7.26	7.58
I can volunteer with others for the good of the site	4.96	6.89
Problems are sorted out quickly	8.19	8.05
Disadvantaged people get special help if needed	7.05	7.25
Wildlife and the environment are cared for	8.39	8.20
I can have a say in the way the allotments are managed	7.52	7.44
The site is easy for me to get to	8.62	8.37
There is sufficient car parking	7.06	7.46

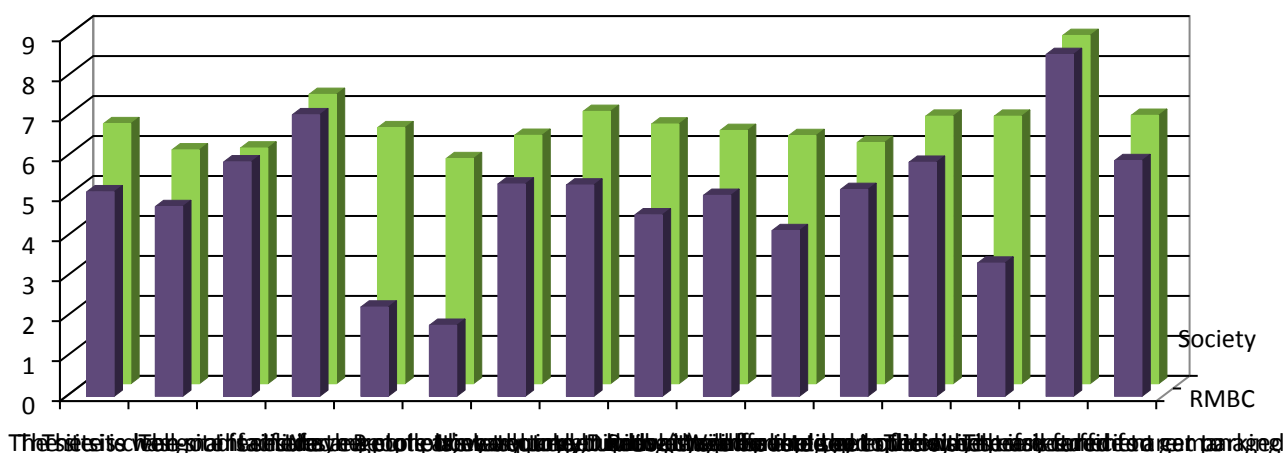


Site security is seen as the most important aspect of allotment management on both society sites and those managed directly by the Council, while 'I can volunteer with others for the good of the site' is the least important for both, although respondents from directly managed sites scored this significantly lower than those from society sites. A higher proportion of society plot-holders viewed having good facilities as important, while a higher proportion of people on directly-managed sites see letting vacant plots quickly as important. Otherwise, both sets of respondents have broadly similar views about the importance of the listed factors.

3.7 How good do you think the same things are now where you have an allotment?

The format of this question, and analysis of answers, is similar to 3.6.

	RMBC	Society
The site is clean	5.12	6.51
The site is well-maintained	4.75	5.85
The site is secure	5.87	5.90
I feel safe there	7.04	7.24
The site has good facilities, e.g. toilets, water and building(s)	2.23	6.40
Vacant plots are let quickly	1.78	5.63
People obey allotment rules	5.31	6.21
If I have a complaint or query, I know it will be listened to	5.29	6.81
It's easy to get up-to-date information	4.54	6.50
I can volunteer with others for the good of the site	5.03	6.34
Problems are sorted out quickly	4.15	6.21
Disadvantaged people get special help if needed	5.18	6.04
Wildlife and the environment are cared for	5.86	6.69
I can have a say in the way the allotments are managed	3.33	6.69
The site is easy for me to get to	8.55	8.71
There is sufficient car parking	5.90	6.71



Respondents from society-run sites scored all aspects of management higher than those on directly-managed sites. The areas where the difference is greatest are as follows:-

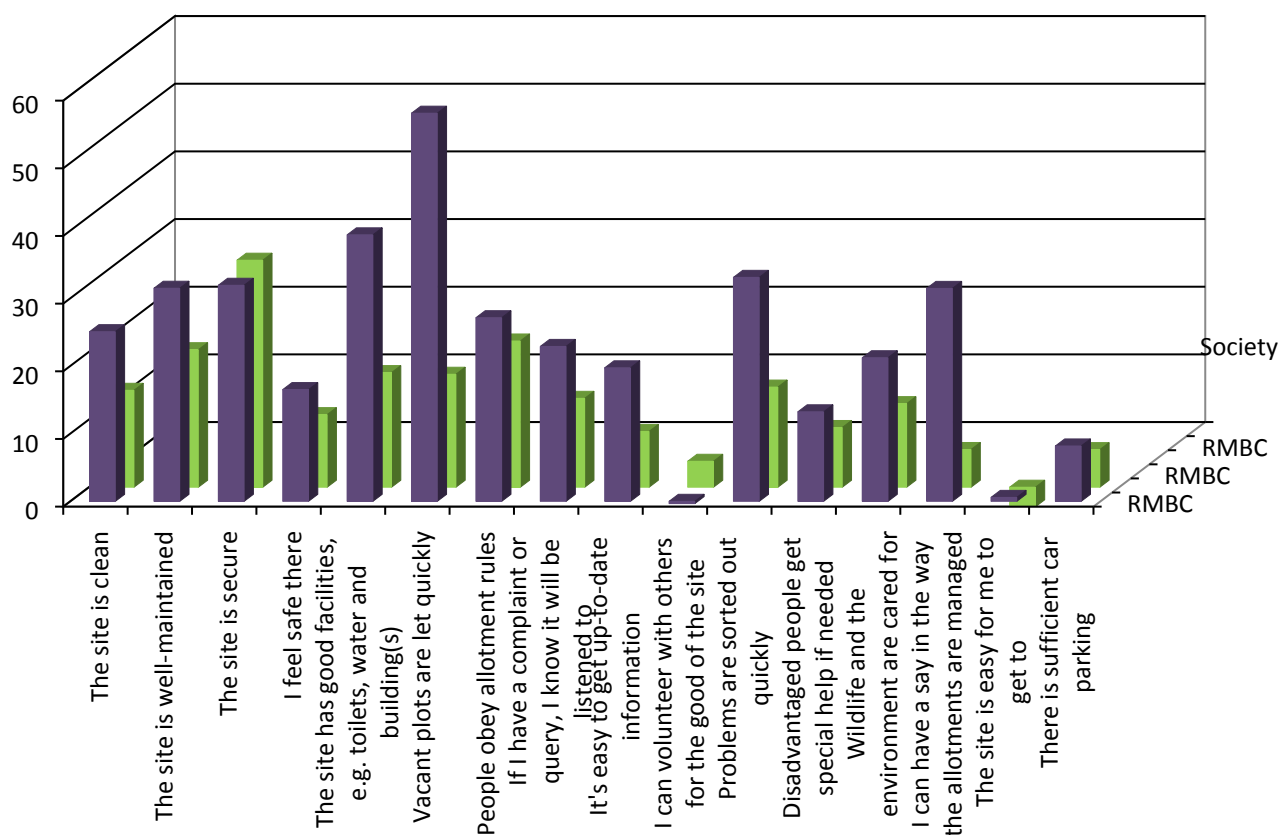
- The site has good facilities. This is unsurprising as societies have tended to become established on larger, better equipped sites. The Council has very limited resources to undertake significant improvements to sites under direct management.
- Vacant plots are let quickly. This is believed to reflect both the large total number of plots the Council's allotments team is responsible for letting, and also recent staffing issues within the same team. The absence of an Allotments Operative has delayed preparation of vacant plots for letting, and the Allotments Officer is able to spend less time processing plot lettings than previously due to having to take on a wider range of duties. By contrast, society officials are able to focus their efforts on letting plots just on their own site.
- I can have a say in the way allotments are managed. This is as expected, since allotment societies exist to represent their members. The Council's allotments team is not resourced to facilitate a similar level of tenant involvement.
- Problems are sorted out quickly. Again, the relatively poor score for directly-managed sites is believed to be due to difficulties the Council allotments team is having responding to issues across all its sites, which is compounded by current staffing pressures. By contrast, allotment societies are well placed to address issues as their committee members are routinely on site and therefore become aware of problems quickly and are well-placed to find solutions.
- If I have a complaint or query I know it will be listened to. This is very similar to the previous point, and the reasons for the difference in performance between directly-managed and society sites are likely to be the same.
- It's easy to get up-to-date information. This suggests that allotment societies do a good job of communicating with their members.

3.7.1 Priority for action

Scores for importance and current performance need to be considered together to identify which aspects of site management are most in need of improvement. For example, a factor that people think is performing weakly but which is also viewed as relatively unimportant is not as much of a priority as one that is performing weakly and is also viewed as important.

A numeric value has been calculated using the methodology shown in section 6 below to indicate how much of a priority each factor is.. The greater the score, the higher the priority for action is, as shown below.

	RMBC	Society
The site is clean	25.07	14.32
The site is well-maintained	31.49	20.32
The site is secure	31.93	33.55
I feel safe there	16.51	10.73
The site has good facilities, e.g. toilets, water and building(s)	39.38	16.94
Vacant plots are let quickly	57.36	16.70
People obey allotment rules	27.13	21.61
If I have a complaint or query, I know it will be listened to	22.89	13.14
It's easy to get up-to-date information	19.73	8.24
I can volunteer with others for the good of the site	-0.33	3.83
Problems are sorted out quickly	33.10	14.80
Disadvantaged people get special help if needed	13.23	8.82
Wildlife and the environment are cared for	21.22	12.35
I can have a say in the way the allotments are managed	31.47	5.57
The site is easy for me to get to	0.58	-2.89
There is sufficient car parking	8.18	5.55



A larger number of issues are seen as priorities for action on directly-managed sites than on society sites. Generally, it is believed that this is due

to lack of capital investment in directly-managed sites, difficulties addressing site and tenant issues which are exacerbated by current staffing pressures, and the fact that allotment societies are better placed than a centralised service to focus on the specific needs of their particular site and plot-holders. Issues with a 'priority for action' score of 30 or more are highlighted below.

Directly Managed Sites

- Vacant plots are let quickly.
- The site has good facilities
- Problems are sorted out quickly
- The site is secure
- The site is well-maintained
- I can have a say in the way the site is managed
- People obey allotment rules
- The site is clean
- If I have a complaint or query, I know it will be listened to
- Wildlife and the environment are cared for

Society Sites

- The site is secure
- People obey allotment rules
- The site is well-maintained.

This suggests that self-management of sites by societies allows a higher quality service to be provided to plot-holders than is possible on directly-managed sites with the resources that the Council currently allocates to the service. However, such comparison also needs to take into account that many of the sites still managed directly by the Council are small and have intrinsic problems that would make them difficult subjects for self-management.

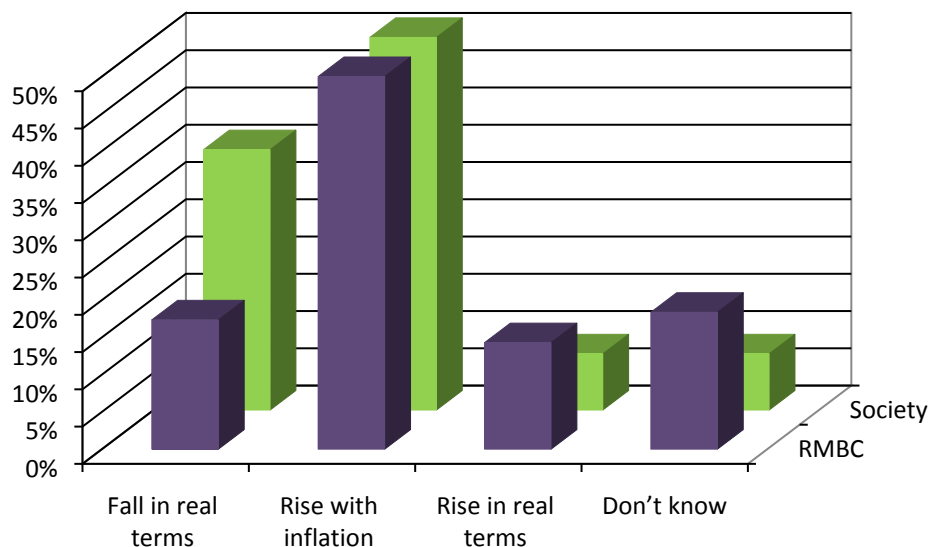
3.8 Allotment Rents

The questionnaire explained the reasons for recent increases in allotment rents, and asked respondents whether they thought rents should in future:

- fall in real terms, with services being reduced, or undertaken by volunteers, to achieve the necessary savings
- rise in line with inflation, to allow current levels of service to be maintained, or
- increase in real terms (i.e. faster than inflation) to pay for improvements in allotment provision

Responses were as shown below.

	RMBC	Society	Total
Fall in real terms	17	51	68
Rise with inflation	49	73	122
Rise in real terms	14	11	25
Don't know	18	11	29
Total	98	146	244

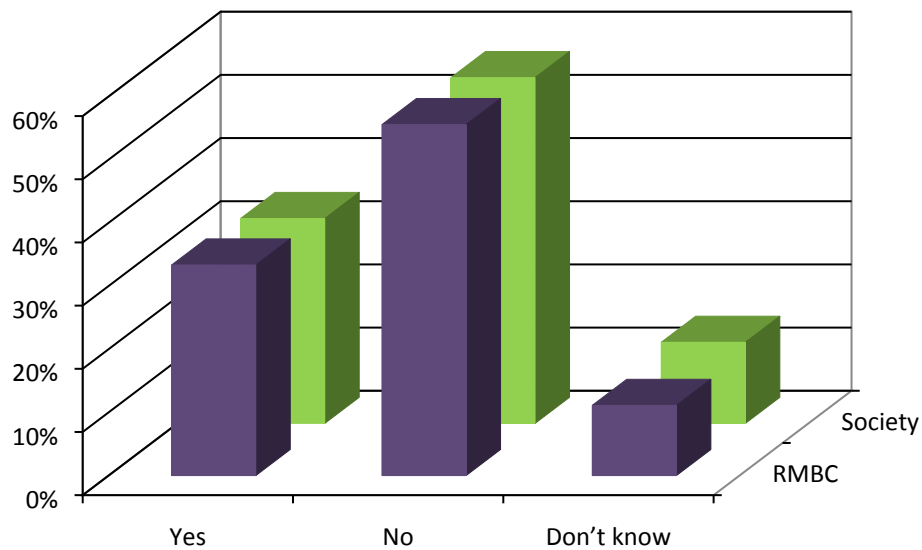


Around half of all respondents think that rents should continue to rise in line with inflation to allow the current level of service to be maintained. A significant minority of people on society sites (around 35%) believe that rents should fall in real terms, whilst only 17% of people on directly-managed sites share this view. It should be noted that each society determines the rents to be paid by individual plot-holders, but clearly the rent the Council charges the society for the whole site will be a major consideration in this

3.9 Do you think that disadvantaged people should be offered discounted rents?

This question also noted that if discounts were to be introduced, then rents paid by other allotment users would need to increase to compensate for the resulting loss of income.

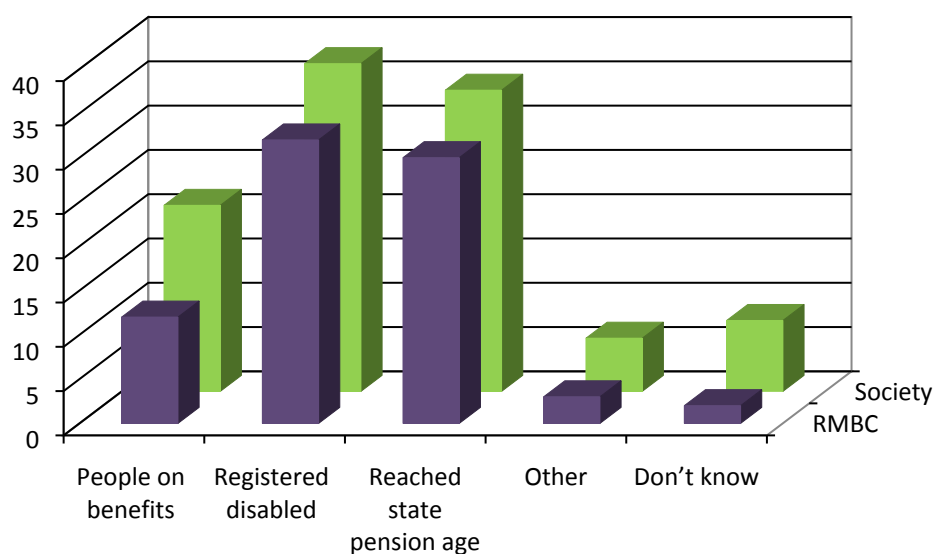
	RMBC	Society	Total
Yes	33	48	81
No	55	81	136
Don't know	11	19	30
Total	99	148	247



The results to this question from directly-managed and society sites were very similar, with around 55% not in favour of the introduction of discounts.

3.10 If you answered YES to question 9, which of the following groups of people you think should be able to receive a discount?

	RMBC	Society	Total
People on benefits	12	21	33
Registered disabled	32	37	69
Reached state pension age	30	34	64
Other	3	6	9
Don't know	2	8	10
Total	79	106	185



The total number of people answering this question was more than the number who said they believed that discounts should be offered. It is assumed that some people chose to say which groups they believe should receive discounts in the event that a decision is taken to introduce them, even though they do not agree with the principle of discounts being offered.

The results from directly managed sites and society sites are similar, with most supporting discounts for people who are registered disabled or who have reached state pension age. A smaller number think people on benefits should receive discounts. Other suggested recipients of discounts were people who don't work but get no benefit, people on low income, Rothercard holders, young working families, community and voluntary groups and people with mental health problems.

3.11 Other comments about allotment rents

120 people commented about allotment rents. The analysis of these is being carried out separately, and any conclusions will be taken into account in making recommendations for future rents.

3.12 Other comments about allotments in general

150 people supplied comments here. A separate analysis is being carried out of these to identify:-

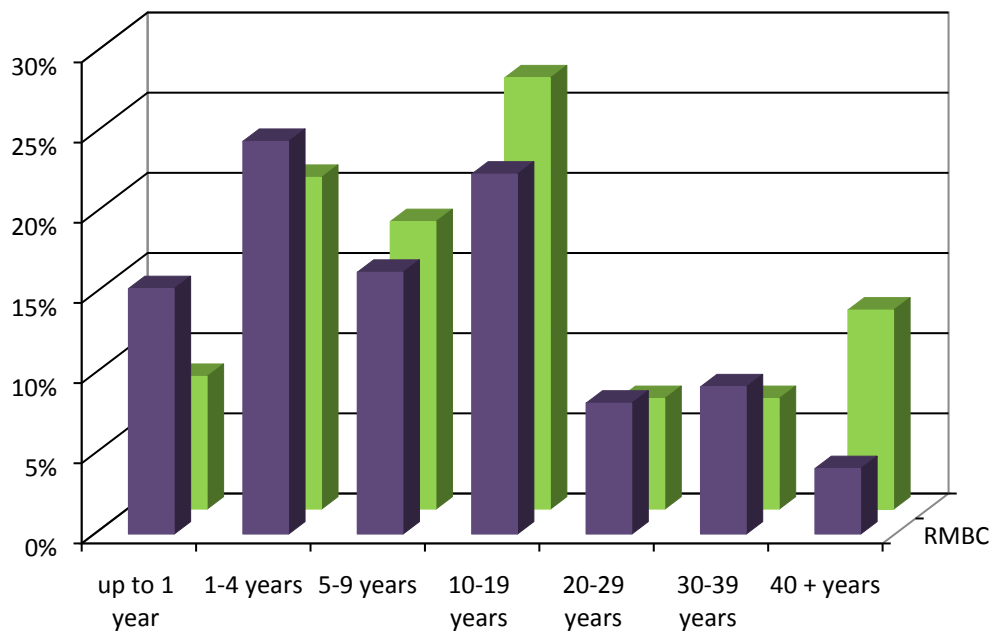
- any site-specific issues requiring action to be taken,
- any recurring themes that add to our understanding of strengths and weaknesses in the service as a whole.

The results of this analysis are not available at the time of writing.

3.13 Roughly how many years have you been allotment gardening?

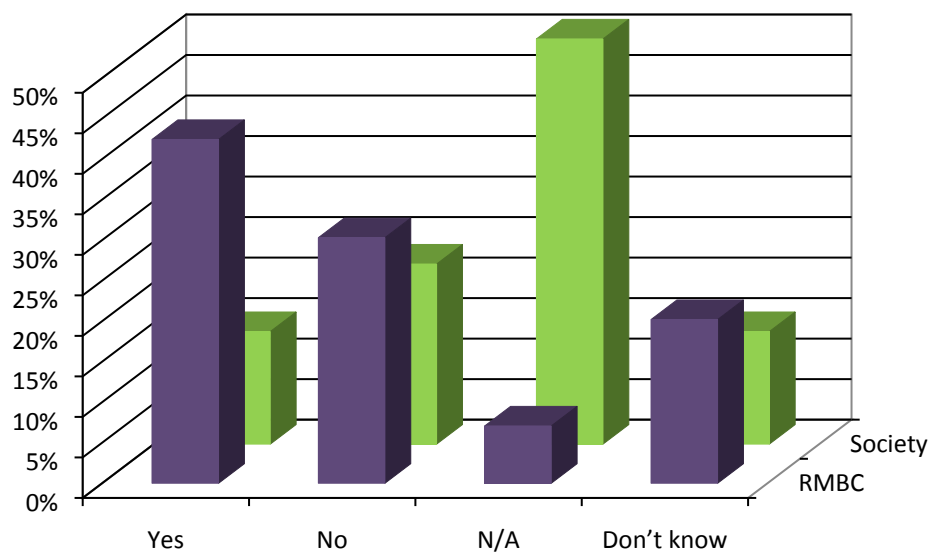
The main observation from analysis of answers to this question is that a larger proportion of respondents on directly-managed sites are relatively new to allotment gardening, whereas a larger proportion of people on society sites have been doing so for more than 40 years.

	RMBC	Society	Total
up to 1 year	15	12	27
1-4 years	24	30	54
5-9 years	16	26	42
10-19 years	22	39	61
20-29 years	8	10	18
30-39 years	9	10	19
40 + years	4	18	22
Total	98	145	243



3.14 Would you like to join an allotment society?

	RMBC	Society	Total
Yes	42	20	62
No	30	32	62
N/A	7	72	79
Don't know	20	20	40
Total	99	144	243



This question was intended to gauge the level of interest amongst people on directly-managed sites in being part of an allotment society. The main observations are as follows:-

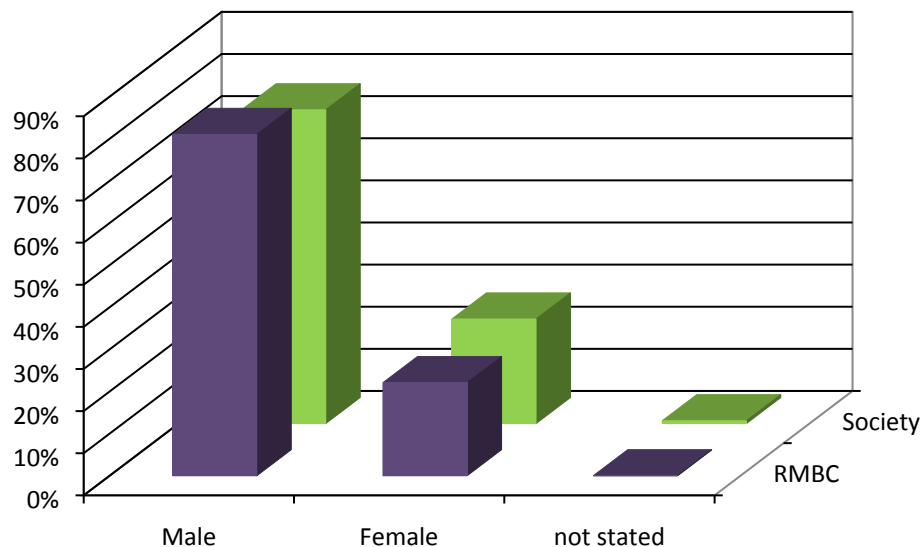
- More than 40% of respondents on directly-managed sites would like to join a society
- A number of people on directly-managed sites stated that they were already members of a society, suggesting that they may have plots on more than one site (i.e. including a society site)
- Around 22% of people on society sites stated that they do not want to be members of the allotment society.

This suggests there is some an appetite amongst a significant proportion of plot-holders on directly-managed sites to be part of a society, although this may be difficult to achieve unless suitable individuals come forward to form a committee.

4. Respondent Profile Results

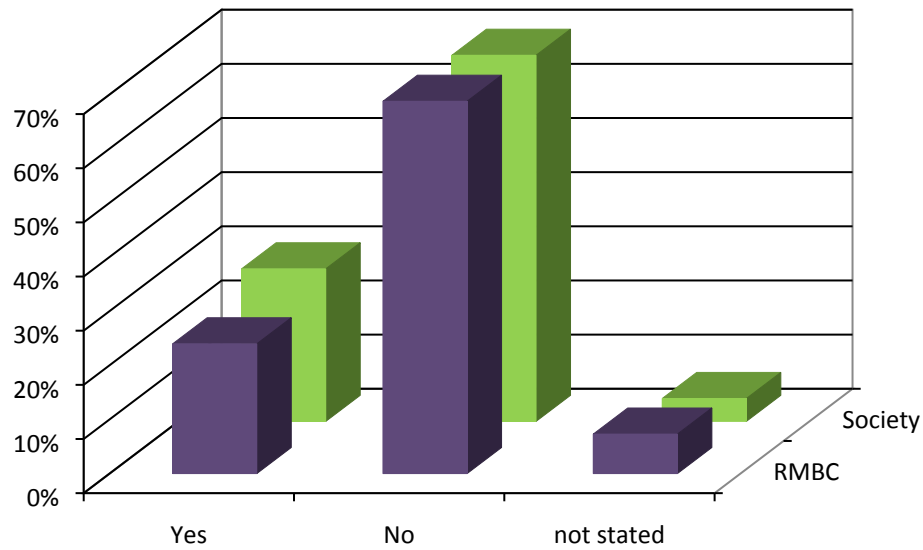
4.1 What is your gender identity?

	RMBC	Society	Total
Male	77	111	188
Female	21	37	58
not stated	0	1	1
Total	98	149	247



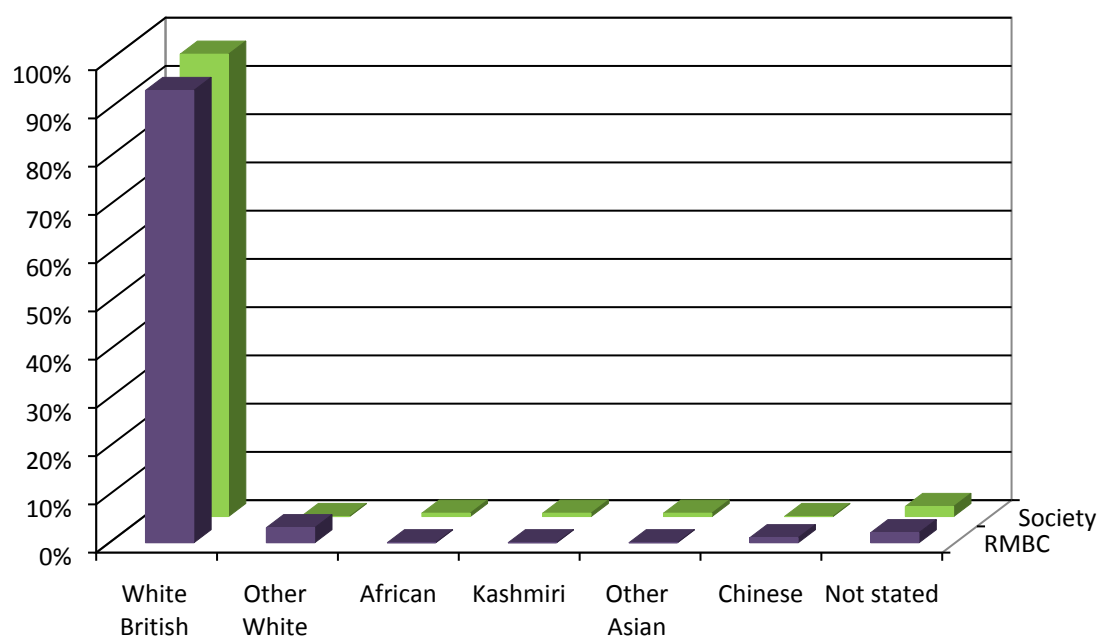
4.2 Do you consider yourself to be disabled or have a limiting illness?

	RMBC	Society	Total
Yes	23	40	63
No	66	96	162
not stated	7	6	13
Total	96	142	238



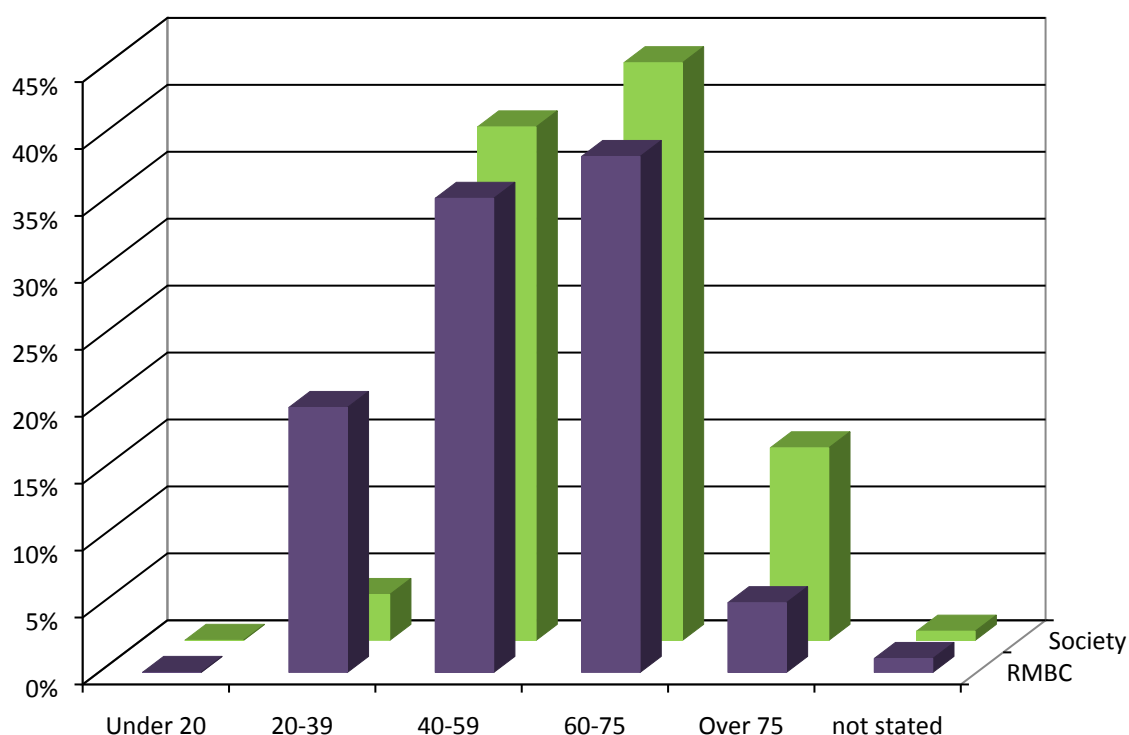
4.3 How would you describe your ethnic origin?

	RMBC	Society	Total
White British	90	138	228
Other White	3	0	3
African	0	1	1
Kashmiri	0	1	1
Other Asian	0	1	1
Chinese	1	0	1
Not stated	2	3	5
Total	96	144	240



4.4 What is your age on 1st September, 2017?

	RMBC	Society	Total
Under 20	0	0	0
20-39	19	5	24
40-59	34	56	90
60-75	37	63	100
Over 75	5	21	26
not stated	1	1	2
Total	96	146	242



5. Calculation of Average Values from Multiple-choice Questions

In questions referred to in sections 3.5 and 3.6 above, people were asked to rate the importance of various factors as one of the following:-

- Very important
- Important
- Slightly important
- Not at all important

They were also given the options of stating 'don't' to allow the answers to be averaged, each was first given a numeric value as follows:-

- Very important = 10

- Important = 6.667
- Slightly important = 3.333
- Not at all important = 0.

Don't knows were omitted from the calculation of the average because of the uncertainty about what their view might be if they had one.

The average score was then determined as follows, where (A) is the number of people selecting 'Very important', (B) is the number selecting 'Important', (C) is the number selecting 'Slightly important' and (D) is the number selecting 'Not at all important'.

$$(10*A + 6.667*B + 3.333*C) / (A + B + C + D)$$

The same approach was used for calculating an average performance score for question 3.7, where (A) is the number of people selecting 'Very good', (B) is the number selecting 'good', (C) is the number selecting 'poor' and (D) is the number selecting 'very poor'.

6. Calculation of 'Priority for Action' Score

Scores for importance and current performance need to be considered together to identify which aspects of site management are most in need of improvement. The following methodology is used by commercial market research organisations, such as MORI.

Priority for Action = (Average importance score - Average performance score) * Average importance score.

Thus, a larger number shows that people regarded a factor as important, but that its performance was rated as relatively poor, whereas a smaller number shows that a factor was regarded as relatively unimportant, and that its performance was better.

This method was used to calculate scores shown in section 3.7.1 above.

Appendix 2

Meeting:	Cabinet/Commissioner Decision Making Meeting
Date:	9 th July 2018
Report Title:	Allotments Self-management
Ward	All

ALLOTMENT SITE AUDIT RESULTS

1. General

- As part of the review of the allotment service provided by the Council's Culture, Sport and Tourism Service, an audit of Council-owned allotment sites has been undertaken.
- The purpose of the audit was to identify the size of each site, the standard of facilities and infrastructure on each, and any liabilities.
- The audit was carried out in late 2017 and early 2018. It was led by the Allotments Officer, and includes supplementary data supplied by allotments societies.
- Separate figures for society sites and directly managed sites are shown along with the totals across all sites. Where appropriate, figures are also given for inactive sites.

2. Results

2.1 Number and size of sites

	RMBC - active	RMBC - inactive	Society	Total
number of sites	13	4	13	30
total area (sq metres)	167750	37004	255604	460358
% area cultivatable	74.3%	0.0%	68.2%	64.9%
number of plots	515	0	592	1107

2.2 Plot Letting status (February 2018)

	RMBC	Society	Total
Total number of plots	515	592	1107
% plots let	77.5%	92.7%	85.6%
% plots unlettable	11.3%	1.4%	6.0%
% plots vacant	11.3%	5.9%	8.4%

2.3 Waiting lists (February 2018)

	RMBC	Society	Total
Number on waiting lists	66	53	119
No. waiting where plot vacant	20	5	25

2.4 Site security/boundaries

	RMBC - active	RMBC - inactive	Society	Total
Total length boundary (m)	6927	2172	8795	17894
% boundary fence not present	19.4%	31.0%	22.0%	22.1%
% boundary fence mostly/poor	21.0%	32.8%	20.2%	22.1%
% boundary fence mostly/good	59.5%	36.2%	57.7%	55.8%
Total number of gates	29	2	35	66
Number of gates mostly/poor	6	0	4	10
Number of gates mostly/good	23	2	31	56

2.5 Access ways and car parking

	RMBC	Society	Total
Total length tracks and paths (m)	4127	6603	10730
% tracks and paths mostly/poor	44.3%	25.9%	33.0%
% tracks and paths mostly/good	55.7%	74.1%	67.0%
Total number of parking spaces	36	57	93
Plots per parking space	14.3	10.4	11.9

2.6 Buildings

	RMBC	Society	Total
Total number of buildings	21	147	168
Plots per building	24.5	4.0	6.6
number of buildings mostly/poor	3	9	12
number of buildings mostly/good	18	138	156

2.7 Water and electricity

	RMBC - active	RMBC - inactive	Society	Total
% sites with water supply	61.5%	0.0%	76.9%	60.0%
% sites with electricity supply	0.0%	0.0%	46.2%	20.0%
number of water taps	61	0	30	91
plots per water tap	8.4	n/a	19.7	12.2

2.8 Liabilities

	RMBC - active	RMBC - inactive	Society	Total
area heavily overgrown (sqm)	9562	10322	6040	25924
area moderately overgrown (sqm)	6052	13837	6946	26835
area with Japanese Knotweed (sqm)	33	0	123	156
area with rubbish to be cleared (sqm)	2897	9104	0	12001
area prone to flooding or waterlogging (sqm)	1728	0	4936	6664
area with no soil cover (sqm)	187	0	0	187
% total site area with liabilities	12.2%	89.9%	7.1%	15.6%

Appendix 3

Meeting:	Cabinet/Commissioner Decision Making Meeting
Date:	9 th July 2018
Report Title:	Allotments Self-management
Ward	All

PREFERRED ALLOTMENTS SELF-MANAGEMENT MODEL

1. Recommended Structure

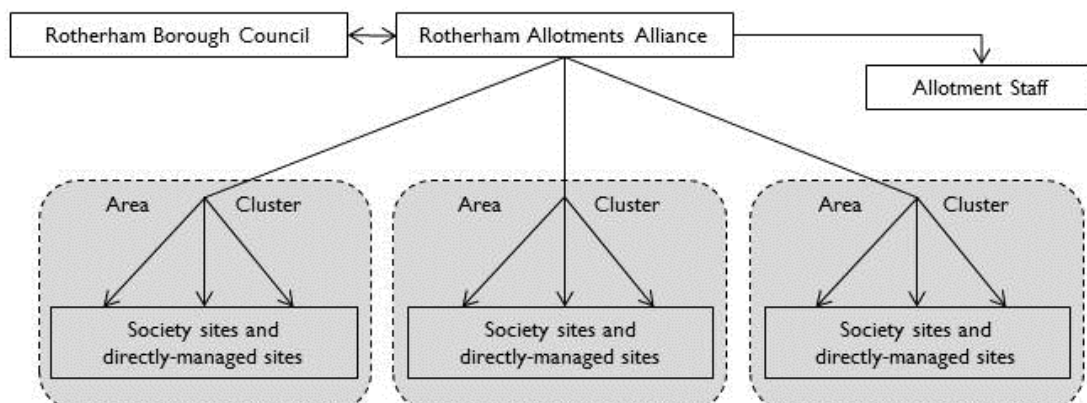
The Review has considered how control of allotments might be transferred to self-management bodies. Rotherham and District Allotments Association (RaDAA) has proposed a model with the following characteristics:-

- A number of new Area Self-Management Societies for different parts of the borough,
- Satellite Societies managing individual sites, and supported by the Area Self-Management Society as required,
- A paid Allotment Officer and Assistant to provide support to the Area Self-Management Societies as required.

The proposal, which also includes details of what Societies should be expected to do, reflects some key principles identified by the Project Group as a preferred way forward. These include expansion of self-management arrangements building on, rather than replacing, existing allotment Societies. It has been used as a starting point for further development and refinement to provide a possible comprehensive service model that addresses all agreed Review objectives and identified risks.

Consequently, a provisional self-management model has been developed, and is described below.

Figure 1 - Provisional Self-Management Model



- The principal feature of this approach would be the creation of a borough-wide allotments self-management body. This has been given the working title 'Rotherham Allotments Alliance'.
- The model also includes Area Clusters that would be constituent parts of the Alliance and governed by the same rules. Their role would be to encourage co-operation and co-ordination between sites in each locality.
- It is proposed that all allotment gardeners would be members of the Alliance with voting rights at AGMs.
- The Alliance would be led by a committee comprising allotment gardener representatives, Cabinet Member with responsibility for allotments, and one other Council Member. Other individuals representing interests such as health and wellbeing, the environment, children and young people, community development, learning etc. may be invited to support the work of the committee.
- The entire portfolio of Council allotment sites would be leased to the Rotherham Allotments Alliance who would then sub-let individual sites where there are Allotment Societies.
- The main benefits of a borough-wide self-management body are:-
 - It could employ and control staff on behalf of all Societies and sites,
 - Efficient and joined-up working relationship between partners, including the Council
 - Allows borough-wide service standards to be agreed and monitored
 - A stronger, more unified voice for allotments in Rotherham
 - Scope to share expertise and resources amongst all Societies and volunteers
 - Able to provide/obtain support for individual Societies (e.g. specialist advice), and thereby minimise risk of failure
 - Economies of scale and minimisation of duplication, so that available resources go further.
 - Able to co-ordinate action across the whole allotments sector, including promotional campaigns, events planning etc.
- Allocation of roles and responsibilities within such a model will require further detailed consideration and agreement. However, **Figure 2** illustrates a possible approach to help guide further consideration of these matters.

2. Proposed Legal Form for New Self-Management Body

2.1 Options

A wide range of different legal forms is available for organisations involved in the running of allotments. Consideration needs to be given to the intended characteristics of the proposed body when evaluating the various possible legal

forms. Discussion within the Review Team has identified the following as being desirable in any new self-management body:-

- Clearly defined aims and purposes;
- All gardeners are able to vote on key issues;
- Day-to-day control of the body's affairs by a board/committee whose members can be elected by the general membership
- Board/committee members have limited/no personal liability arising from the activities of the body
- Well-suited to fund-raising and applying for grants
- Able to employ staff, contractors etc
- Able to lease land from the Council, and sub-let it to individual Societies
- Scope to include new sites in future (desirable)
- Reasonably simple registration and regulatory requirements
- Minimise requirement to pay tax and business rates.

Taking these requirements into account, two options appear to be particularly suitable.

A. Community Benefit Society

Community Benefit Societies are set up with social objectives to conduct a business. They are run and managed by their members, who can elect a committee to carry out day-to-day operational management on their behalf. They can raise funds by issuing shares to the public, and must submit annual accounts.

To be recognised as a charitable community benefit society they must have exclusively charitable objects that are for the public benefit, allowing them to raise capital through public grants and charitable trusts. If approved, they're known as exempt charities - reporting to the Financial Conduct Authority (FCA), not the Charity Commission. A small fee is payable to register such a body, and annual fees also need to be paid to maintain registration.

As they are incorporated bodies they are legal entities in their own right, and therefore able to enter into contracts, hold land and employ staff. This also limits the liability of its members.

B. Charitable Incorporated Organisation

A CIO is governed by a board of trustees whose role is to ensure the charity is carrying out its purposes for the public benefit, and to plan and review the charity's work on a regular basis.

There are two different types of CIO available. Foundation CIOs, where the voting members and charity trustees are one and the same (known as 'closed' membership), and Association CIOs have a wider membership than the Foundation CIO, including members who are not trustees (known as 'open' membership). There are no initial or recurring fees for registration.

Like Community Benefit Societies, CIOs are incorporated bodies, and therefore share the same advantages listed above.

2.2 Recommended Option

Whilst both the options described may be used for the type of self-management body envisaged, a Community Benefit Society is believed to be better suited in this case. This is because it appears to be more extensively tried and tested, is a widely recognised mutual form, and benefit from legislative provisions which mean that re-organisations, particularly mergers between societies, are relatively easy to do.

Therefore it is recommended that a new Community Benefit Society be established to deliver a new borough-wide allotments self-management model.

Figure 2
Possible Roles and Responsibilities in Remodelled Allotments Service

	Governance	Finance, insurance and staffing	Provision of allotment land	Site improvement and maintenance	Tenancy Management	Service development and promotion
Rotherham MBC	<ul style="list-style-type: none"> • Ultimate responsibility for service standards and legal compliance • Ultimate step-in/rescue powers if self-management body failing • Drafting and supply of model constitution for Societies • Nomination of Council reps to Allotments Alliance 	<ul style="list-style-type: none"> • Manage capital reserves from sale of allotment land • Allocate capital funding to support site improvement projects • Receive reports from Alliance on use of capital funding, inc. achievement of agreed outcomes, leverage of match funding etc. • Advise on level of insurance required by self-management bodies, and check to ensure this is in place • Confirm whether TUPE regulations apply to any new posts created by the Alliance. 	<ul style="list-style-type: none"> • Consider requests to provide new land, or to take back surplus land from Alliance. • Manage any surplus land surrendered by Alliance, noting that grazing income may need to be passed back to Alliance to support their activities. • Acquire or appropriate land for new allotments as required • Lease all Council allotment land to Allotments Alliance. • Apply to Secretary of State for permission to dispose of surplus allotment land 	<ul style="list-style-type: none"> • Process applications from Alliance for capital funding to support site improvement projects • Receive reports from Alliance on use of capital funding, inc. achievement of agreed outcomes, leverage of match funding etc. • Provide technical advice on tree safety, invasive species, flooding and hazardous waste, as requested by Allotments Alliance 	<ul style="list-style-type: none"> • Supply initial model tenancy agreement • Lease all Council allotment land to Allotments Alliance 	<ul style="list-style-type: none"> • Advise Alliance of Council initiatives and policy changes relevant to allotments
Allotments Alliance	<ul style="list-style-type: none"> • Development, review and approval of terms of reference of Allotments Alliance. • Develop and implement service monitoring systems, incl. KPIs • Appointment of new Alliance members • First line step-in/rescue option in case of failing Society • Secretarial support and record-keeping for Alliance business 	<ul style="list-style-type: none"> • Employ allotment staff • Set annual budget for Alliance business (incl staff costs) • Calculate and collect rent payments from tenants on directly-managed sites and Societies, • Monitor own budget and report to members regularly • Take out insurance cover as necessary for Alliance business • Decide whether Societies must join NAGS to benefit from insurance cover 	<ul style="list-style-type: none"> • Sub-let allotment sites to Allotment Societies • Monitor demand for allotments across borough, using data supplied by Societies/clusters • Make recommendations to RMBC for acquisition/disposal of allotment land • Consider requests from Societies to surrender all or part of their leased land back to Allotments Alliance, and support them in finding alternative uses (e.g. grazing) • Help RMBC in applying for permission to dispose of surplus allotment land, including statutory consultation 	<ul style="list-style-type: none"> • Deploy allotment staff to help Societies with maintenance and improvement projects, and to arrange the following:- <ul style="list-style-type: none"> ○ Regular safety inspections of trees across all sites, and arrange works as needed ○ Deal with invasive species , flooding and hazardous waste reported by Societies ○ Support procurement by Societies of skips, pest control etc • Consider Society site improvement proposals, and decide whether to support • If supporting, apply to RMBC for capital on behalf of Society • Otherwise, work with Society to address weaknesses in bid • Identify and share information about other external grant funding opportunities 	<ul style="list-style-type: none"> • Sub-let allotment sites to Allotment Societies • On directly-managed sites, same tenancy management responsibilities as those on Society-managed sites (see below). 	<ul style="list-style-type: none"> • Champion all allotments, and provide a unified voice on matters of general interest • Develop and implement borough-wide communications to promote the benefits of allotment gardening, including Rotherham allotments website • Help Societies by encouraging new volunteers to strengthen sustainability and representativeness of committees. • Work with partners to reach under-represented and disadvantaged groups • Share/promote good practice guidelines from national bodies (e.g. NAGS) and between Societies/clusters • Arrange and promote skills development opportunities for volunteers in all Societies (e.g. training, mentoring)
Area Cluster	<ul style="list-style-type: none"> • Collation of monitoring information from individual Societies and reporting to Alliance 	<ul style="list-style-type: none"> • Ad hoc agreement to pool resources from individual Societies to fund joint initiatives 	<ul style="list-style-type: none"> • Monitor demand for allotments across cluster area, using data supplied by Societies • Make recommendations to 	<ul style="list-style-type: none"> • Agree and deliver mutual support and sharing of resources between individual Societies within cluster, to 	<ul style="list-style-type: none"> • Share information about proposed rents, allotment rules, difficult tenants etc 	<ul style="list-style-type: none"> • Facilitate collaboration between individual Societies on <ul style="list-style-type: none"> ○ Local promotion activity

	Governance	Finance, insurance and staffing	Provision of allotment land	Site improvement and maintenance	Tenancy Management	Service development and promotion
	<ul style="list-style-type: none"> Request Alliance step-in/rescue in case of failing Society 		Alliance for acquisition/disposal of allotment land	undertake maintenance and deliver small-scale improvement projects. <ul style="list-style-type: none"> Provide targeted support for small sites (could set up multi-site Society) 		<ul style="list-style-type: none"> Events Developing local partnerships (e.g. schools, community groups) Resource sharing to achieve economies of scale
Individual Society	<ul style="list-style-type: none"> Nomination of Society reps to Allotments Alliance Adjustment of model constitution, as required, and adoption of it Management of the Society in accordance with the constitution and the law Collection and reporting of monitoring information, including KPIs. Provide and promote opportunities for individual tenants to have their views heard, and to influence decisions taken by the Society committee. 	<ul style="list-style-type: none"> Set annual budget for Society business (incl. annual payment to Alliance) Monitor own budget and report to members Set annual rent payable by plot-holders Manage and report any reserves Take out insurance cover to levels specified by RMBC 	<ul style="list-style-type: none"> Maintain and report data about demand vs supply (e.g. waiting lists, number of vacant plots) Submit requests to Alliance to take back surplus/unused leased land.. 	<ul style="list-style-type: none"> Day to day maintenance of vegetation, vacant plots, tracks, buildings, fences, water supplies, drainage and other infrastructure Report invasive species (e.g. Japanese Knotweed), flooding and hazardous waste to allotment staff Deliver small-scale improvement projects Propose large-scale improvement projects needing extra capital investment to Alliance. 	<ul style="list-style-type: none"> Provide information about how to rent a plot & plot availability Manage waiting lists Prepare vacant plots for letting Issue tenancy agreements Collect rents and other payments (e.g. water) Take action to address under-payment, including possible termination of tenancy Agree and issue site rules Take action to address non-compliance, including enforcement and possible termination of tenancy Respond to general enquiries from tenants Take action to try to resolve disputes between tenants Respond to complaints from tenants and others 	<ul style="list-style-type: none"> Develop volunteering amongst general members Facilitate <i>Continued overleaf</i> dialogue with Society members to identify service improvement Lead regular communications to keep members informed and involved, including meetings, site notices, social media etc.

Committee Name and Date of Committee Meeting

Council – 25 July 2018

Report Title

Proposed Amendments to the Constitution – Responsibility for Functions – Scheme of Delegation and Terms of Reference

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

No

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

This report is submitted to introduce a proposed new ‘Responsibility for Functions’ section of the Constitution, which has 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 are presented for approval and adoption within the Constitution.

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

Recommendations

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.

3. That the Assistant Director of Legal Services be authorised to make consequential amendments to the other parts of the Constitution arising from the new 'Responsibility for Functions'.
4. That Strategic Directors be required to prepare Sub-Schemes of Delegation detailing the discharge of functions within their directorate and publish decision records in accordance with the Access to Information Rules in respect of delegated officer decision making.

List of Appendices Included

Appendix 1 Proposed Appendix 9 'Responsibility for Functions'

Background Papers

Current Appendix 9 of the Constitution – Scheme of Delegation

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Proposed Amendments to the Constitution – Responsibility for Functions – Scheme of Delegation and Terms of Reference

1. Background

- 1.1 The Council has sought to strengthen its governance arrangements as part of Rotherham's improvement journey and has reviewed various aspects of its Constitution in the past two years. Commencing with the implementation of the recommendations of the Governance Review Working Party in May 2016, the Council has made the changes in respect of:-
- definitions of a Key Decision
 - delegated decision making by officers
 - financial regulations and contract standing orders
- 1.2 One of the recommendations from the Governance Review Working Group was that an external review of the Constitution should be undertaken. The Council commissioned the Association of Democratic Services Officers (ADSO), the national professional body for local authority governance and democratic services, to undertake a review of the following areas of the Constitution:-
- Executive Procedure Rules
 - Overview and Scrutiny Procedure Rules
 - Access to Information Rules
 - Standing Orders
 - Scheme of Delegation
- 1.3 ADSO's recommendations in respect of Standing Orders were accepted by the Council in September 2017 when that part of the Constitution was amended and renamed as Council Procedure Rules. In May 2018, the Council approved amendments to the Executive Procedure Rules, Overview and Scrutiny Procedure Rules and Access to Information Procedure Rules.
- 1.4 This report is concerned with proposals to adopt a new 'Responsibility for Functions' section of the Constitution to replace the existing Scheme of Delegation.
- 1.5 The current Scheme of Delegation can be found at Appendix 9 of the Constitution. The document has been amended occasionally in recent years, but the view shared by ADSO and officers was that it is fundamentally out of date and does not reflect the current management structure in operation at the Council. The current document is lengthy, unclear and does not clearly identify those functions which are reserved to the Council and its committees (non-executive functions) and those which must be discharged by the Cabinet (executive functions).

2. Key Issues

- 2.1 Unlike recent amendments to the Constitution, ADSO have not recommended that the Scheme of Delegation be amended and updated. They have instead recommended the adoption of a new part of the Constitution, which clearly defines non-executive and executive decision making, and includes all information concerning the terms of reference of committees, sub-committees, boards and panels in one place. The proposed 'Responsibility for Functions' covers the same subject matter as the current Scheme of Delegation, but it does so in a way that clearly sets out the functions of the Council and which body or officer is authorised to make decisions or take action.
- 2.2 To complement the proposed new 'Responsibility for Functions', ADSO have recommended that each Strategic Director prepare a sub-scheme of delegation for the services for which they are responsible. This recommendation has been made to ensure that the overarching Officer Delegation Scheme does not become a weighty tome. The principle of a sub-scheme of delegation is that Strategic Directors would be required to clearly establish how decisions will be taken and by whom within their directorate. These sub-schemes would be published and any amendments would be published via the delegated decision making process.
- 2.3 Having proposed an approach where decision making is separated into:-
 - Local Choice Functions – those functions which may be reserved to the Council rather than being designated as executive functions
 - Council (non-executive) Functions – those functions which, by law, cannot be the responsibility of the Cabinet
 - Executive Functions – all other functions
- 2.4 The terms of reference are listed towards the end of the document are largely the same as the existing terms of reference, but with the following changes:-
 - Inclusion of the terms of reference for the Overview and Scrutiny Management Board and Select Commissions (these are presently located in the Overview and Scrutiny Procedure Rules).
 - Clarifying additional functions for the Staffing Committee, which include:-
 - To establish at the appropriate time panels of members as a sub-committee to act as appointment panels for the appointment of the Chief Executive, Chief Officers (except where the Chief Executive exercises his delegation to appoint Non-Statutory Chief Officers (as defined in the Officer Employment Procedure Rules)) and designated Deputy Chief Officers
 - To determine the assignment and re-grading of posts:
 - above SCP49 (PO15) and below £100,000 p.a.; or
 - up to and including SCP49 (Grade L) where there is disagreement between the Chief Executive and the relevant Chief Officer, or where the Chief Executive considers that the matter has corporate significance.
 - To determine the payment of honoraria exceeding 12 months duration in respect of posts above Grade L.

- To determine policies relating to local government pensions and discretionary compensation for early termination of employment.
- Delegation to the Leader of the Council the authority to determine the membership of Senior Officer Appointment Panels, having regard to the roles that are to be appointed to.
- Re-naming the Introductory Tenancy Review Panel to become the Housing Tenancy and Anti-Social Behaviour Review Panel to reflect the powers of the body that were delegated to it in 2014.
- Removal of the Early Release and Flexible Retirement Panel and delegation of the function to the Chief Finance Officer, subject to the Staffing Committee determining the policy for the Early Release and Flexible Retirement

2.5 The proposals were reviewed by the Constitution Working Group on 13 July 2018. The changes recommended by Members were:-

Page	Proposal from ADSO	Recommendation by Constitution Working Group
11 (Non-Executive Functions delegated to the Chief Executive – (m) and (n))	To delegate authority to the Chief Executive to:- <ul style="list-style-type: none"> • To dissolve small parish councils • To make orders for grouping parishes, dissolving groups and separating parishes from groups 	To delegate authority to the Chief Executive to:- <ul style="list-style-type: none"> • To dissolve, subject to Council approval, small parish councils • To make orders, subject to Council approval, for grouping parishes, dissolving groups and separating parishes from groups
31 (Executive Functions of the Strategic Director of Finance and Customer Services)	To delegate authority to the Strategic Director to determine requests for early release and flexible retirement, in consultation with the Assistant Chief Executive	Determining, in accordance with agreed policy, requests for early release and flexible retirement, in consultation with the relevant Cabinet Member.

<p>42 (Membership of the Senior Officer Appointments Panel)</p>	<ul style="list-style-type: none"> • Delegation to the Leader of the Council the authority to determine the membership of Senior Officer Appointment Panels, having regard to the roles that are to be appointed to. 	<p>The Panel shall comprise:-</p> <ul style="list-style-type: none"> • Leader of the Council • Deputy Leader of the Council • Relevant Cabinet Member(s) • Leader of the Majority Opposition Group • Chair of Overview and Scrutiny Management Board • Other members to be determined by the Leader of the Council, in order to achieve a representative composition reflecting the diversity of the Council <p>who will have undertaken appropriate training in respect of recruitment and selection</p>
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2.6 The Constitution Working Group delegated authority to the Assistant Director of Legal Services to incorporate proposed changes to the terms of reference for the Standards and Ethics Committee to reflect changes arising from the Localism Act 2011 which were not accurately reflected in the existing terms of reference. Other proposed changes relate to:-

- the removal of monitoring the operation of the Council's Customer Complaints, which does not link to the overarching work of the Standards and Ethics Committee is a matter that the Overview and Scrutiny Management Board has listed within its work programme on annual basis.
- the removal of reviewing procedures for the appointment of council representatives to outside bodies, which has been reviewed by the Cabinet and changes approved by the Council

2.7 The proposed amendments to the Constitution require the removal of the terms of reference for the Overview and Scrutiny Management and Select Commissions from the Overview and Scrutiny Procedure Rules at Appendix 3 of the Constitution and Council is recommended to approve this change.

2.8 The Council is recommended to delegate authority to the Assistant Director of Legal Services to making consequential amendments to the Constitution arising from the changes made to Appendix 9. Any such amendments will be reflected in the published version of the Constitution on the Council's website and decision records will be published when such changes are made.

- 2.9 One of the main recommendations from ADSO is that the Council require Strategic Directors to prepare sub-schemes of delegation detailing how functions will be discharged within their directorate. This proposal is recommended for approval by the Council.

3. Options considered and recommended proposal

- 3.1 The Council has committed to review various parts of the Constitution as part of its improvement journey. The proposals set out above in this report have been put forward by ADSO on the basis of strengthening governance arrangements.

4. Consultation on proposal

- 4.1 The Constitution Working Group was consulted on the proposals ahead of their submission to Council for approval. A number of changes were recommended by ADSO which have been subject to change by the Constitution Working Group prior to proposals being submitted to this meeting. Other than the changes proposed which are set out in the table at paragraph 2.5 above, the Constitution Working Group agreed to recommend the 'Responsibility for Functions' for adoption by Council within the Constitution.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The proposed changes to the Constitution will be implemented with immediate effect from 25 July 2018. The Council will then consider proposals for amendments to this section of the Constitution at the Annual Meeting each year.
- 5.2 The Assistant Director of Legal Services will be responsible for ensuring implementation of the changes recommended in this report once agreed.
- 5.3 Strategic Directors will be required to have prepared a sub-scheme of delegation for each directorate of the Council, which will be published online through an officer decision record. Such sub-schemes of delegation must be reviewed annually following the Council's approval of the 'Responsibility for Functions' section of the Constitution.

6. Financial and Procurement Advice and Implications

- 6.1 The proposed 'Responsibility for Functions' accord with the changes made to the Financial and Procurement Procedure Rules made in 2017.
- 6.2 There are no further financial or procurement implications arising from the proposed changes to the Constitution.

7. Legal Advice and Implications

- 7.1 As a creature of statute, the Council should require the Constitution to be current and coherent as the key enabling document that enables the authority to exercise its decision making powers and procedures. The changes proposed within this report are compliant with the provisions of the Local Government Act 2000, which introduced the requirement for local authority constitutions, and subsequent legislation which has further strengthened local authority governance.

8. Human Resources Advice and Implications

- 8.1 There are no implications for children and young people or vulnerable adults associated with this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no implications for children and young people or vulnerable adults associated with this report.

10. Equalities and Human Rights Advice and Implications

- 10.1 ADSO were asked to consider equalities implications as part of the review of the Constitution and have not identified any negative impacts. In reviewing ADSO's recommendations, the Constitution Working Group had regard to equalities requirements and did not identify issues within the proposals recommended as part of this report. Consequently, there are no equalities or human rights implications arising from the proposals within the report.

11. Implications for Partners

- 11.1 There are no implications for partners arising from the proposed amendments to the Constitution.

12. Risks and Mitigation

- 12.1 As these parts of the Constitution have not been reviewed in full for some time, any update to change their provisions creates the potential for confusion and misunderstanding. Whilst the purpose of making changes to improve the Constitution is to remove confusion and misunderstanding, there are risks in making the changes:

Risk	Mitigation
Members may be unaware of the scheme of delegation	<p>Clear communication of the changes is needed</p> <p>Make them available online</p> <p>Consider a training programme to explain the effect of the changes</p>

New scheme of delegation may be unclear or have ambiguities	<p>Monitor the application of the new scheme</p> <p>The Monitoring Officer to provide advice and guidance where required</p> <p>Review and revise where required after one year of operation</p>
New scheme of delegation may have gaps	The Monitoring Officer to issue guidance on an interim basis until the next review addresses the gaps permanently.
External changes (e.g. new legislation)	The Monitoring Officer will ensure that a report is brought forward to propose any necessary changes at the earliest opportunity.

13. Accountable Officer(s)

Dermot Pearson, Assistant Director of Legal Services and Monitoring Officer
James McLaughlin, Head of Democratic Services

This report is published on the Council's [website](#).

ROTHERHAM BOROUGH COUNCIL

RESPONSIBILITY FOR FUNCTIONS

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INTRODUCTION

This part of the Constitution sets out who is responsible for the various functions of the Council.

Functions are categorised as:

1. Local Choice Functions

There are some functions that the authority may treat as the responsibility of the Executive (the Cabinet) (in part or whole) or as Council (non-executive functions, as its discretion. Section 1 details these functions and who is authorised to discharge them.

2. Council (non-executive) Functions

These are functions which, under the law, cannot be the responsibility of the Executive. In some cases, such as adopting the Council's budget or the Policy Framework, only Council may discharge the function. In other cases, the Council may delegate the responsibility for discharging a function to a committee or an officer.

3. Executive Functions

All other functions are executive functions. Decisions on these will be taken by the Executive, unless they are dealt with under joint arrangements or delegated to a committee of the Executive, the Health and Wellbeing Board or an officer. Section 3 details how these functions are delegated.

SECTION 2: RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

These functions have been specifically identified as being reserved to the Council or delegated to a committee or officers, rather than being executive functions.

Local Choice Functions¹	Decision Making Body	Delegation of functions to Committees or officers
Functions under a local Act (other than one specified or referred to in Reg 2 or Schedule 1 of the Regulations 2000)	Cabinet	The relevant Strategic Director for the function concerned.
To determine appeals against any decision of the authority	Cabinet generally ² , except in matters referred under the terms of reference of the Licensing Board and its sub-committees and appeals panels for employment matters	Assistant Chief Executive ³
To appoint review boards under the Social Security Act 1998 ⁴	Council	Assistant Director of Legal Services
To make arrangements for appeals against exclusion of pupils from maintained schools	Council	Assistant Chief Executive
To make arrangements for appeals regarding school admissions ⁵	Council	Admitting authorities and Assistant Chief Executive ⁶
To make arrangements for appeals by governing bodies ⁷	Council	Strategic Director of Children and Young People's Services
Any function relating to contaminated land ⁸	Cabinet	Strategic Director of Regeneration and Environment
The control of pollution or the management of air quality ⁹	Cabinet	Strategic Director of Regeneration and Environment

¹ Local Authorities (Functions and Responsibilities) Regulations 2000, Schedule 2

² Including appeals in relation to access to information by Members under S100F of the Local Government Act 1972, Regulation 17 Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and the common law "need to know" rules

³ In relation to arrangements for employee appeals, save those dealt with by the Appeals Panel

⁴ S34(4) Social Security Act 1998

⁵ S94(1), (1A) AND (4) School Standards and Framework Act 1998

⁶ The Assistant Chief Executive will be responsible for clerking functions set out in paragraphs 1.10 to 1.11 of the School Admission Appeals Code, with the relevant admitting authority making all other necessary arrangements.

⁷ S95(2) School Standards and Framework Act 1998

⁸ Part IIA Environmental Protection Act 1990 and subordinate legislation

⁹ Pollution Prevention and Control Act 1999; Part IV Environment Act 1995; Part I Environmental Protection Act 1990; Clean Air Act 1993

To serve an abatement notice in respect of a statutory nuisance ¹⁰	Cabinet	Strategic Director of Regeneration and Environment
To pass a resolution that Schedule 2 of the Noise and Statutory Nuisance Act 1993 should apply in the authority's area ¹¹	Cabinet	Strategic Director of Regeneration and Environment
To inspect the authority's area to detect any statutory nuisance ¹²	Cabinet	Strategic Director of Regeneration and Environment
To investigate any complaint about the existence of a statutory nuisance ¹³	Cabinet	Strategic Director of Regeneration and Environment
To obtain information about interests in land ¹⁴	Cabinet	Strategic Director of Regeneration and Environment
To obtain particulars of persons interested in land ¹⁵	Cabinet	All Strategic Directors in pursuance of their delegated authority
To make agreements for the execution of highways works ¹⁶	Cabinet	Strategic Director of Regeneration and Environment
To appoint any individual (a) To any office other than an office in which he is employed by the authority and to revoke any such appointment	Council ¹⁷	
To appoint any individual (b) To any body other than – (i) The authority (ii) A joint committee of two or more authorities; (c) To any such committee or sub-committee of such a body And to revoke any such appointment	Cabinet	
To make agreements with other local authorities for the placing of staff at the disposal of those other authorities	Cabinet	

¹⁰ S80(I) Environmental Protection Act 1990

¹¹ S8 Noise and Statutory Nuisance Act 1993

¹² S79 Environmental Protection Act 1990

¹³ S79 Environmental Protection Act 1990

¹⁴ S330 Town and Country Planning Act 1990

¹⁵ S16 Local Government (Miscellaneous Provisions) Act 1976

¹⁶ Section 278 Highways Act 1980

¹⁷ Council acts as Appointing Body for the purposes of making appointments to:

- South Yorkshire Mayoral Combined Authority
- South Yorkshire Fire and Rescue Authority
- South Yorkshire Pensions Authority
- South Yorkshire Police and Crime Panel

SECTION 3: FUNCTIONS OF THE COUNCIL (NON-EXECUTIVE FUNCTIONS)

These are functions which, under the law, cannot be the responsibility of the Executive. In some cases, such as adopting the Council's budget or the Policy Framework, only Council may discharge the function. In other cases, the Council may delegate the responsibility for discharging a function to a committee or an officer.

	Function	Legislation
1	The levying or issuing of a precept for a rate and the setting of council tax (unless delegated in accordance with s67 (3) Local Government Finance Act 1992) and limits for borrowing money	Local Government Finance Act 1988. Local Government Finance Act 1992. Section 3 Local Government Act 2003.
2	The decision to introduce or revise a council tax reduction scheme	Section 13A(b) Local Government Finance Act 1992 Section 67(2)(aa) Local Government Finance Act 1992
3	Agreeing council tax discounts and exemptions	Sections 11A and 11B of the Local Government Finance Act 1992
4	The establishment, agreeing and/or amending the terms of reference for and abolition of Committees (other than of the Executive) and Joint Committees (with other local authorities) and the appointment, replacement and removal of members of them other than in cases where the Executive is entitled to make appointments.	Local Government Act 1972. The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000.
5	Resolution to operate executive arrangements or to make a change in governance arrangements.	Section 29 of the Local Government Act 2000. Paragraph 3 or 8 of Schedule 4 to the Local Government and Public Involvement in Health Act 2007.
6	Authorising applications to the Secretary of State for disposals of council dwelling houses to be included in his disposals programme or for consent to such disposals where consent is required.	Section 135, Leasehold Reform and Urban Development Act 1993. Sections 32 and 43 of the Housing Act 1985.
7	Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about the discharge of an Executive function where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to or not wholly in accordance with the budget.	The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.

8	Adopting or amending the Members' Allowances Scheme.	Section 18 of the Local Government and Housing Act 1989. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
9	Election the Leader of the Council.	Sections 11 and 44C of the Local Government Act 2000.
10	Adoption of the Members' Code of Conduct.	Section 51 of the Local Government Act 2000. Section 27 Localism Act 2011
11	Approval of the appointment or dismissal of the Chief Executive.	The Local Authorities (Standing Orders) (England) Regulations 2001.
12	Adopting or approving the Policy Framework and the Budget	The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
13	Changing the name of the borough	Section 74 of the Local Government Act 1972.
14	Appointment of the Mayor & Deputy Mayor	Schedule 4 to the Local Government Act 1972.
15	Power to confer title of honorary alderman or to admit to be an honorary freeman	Section 249 of the Local Government Act 1972
16	The making, altering or revoking of procedural rule except as provided for in the Constitution	Sections 29, 106 and Schedule 12 of the Local Government Act 1972. Sections 8 and 20 Local Government and Housing Act 1989.
17	Adopting and changing the Constitution except in relation to those arrangements which it is the responsibility of the Leader to make.	Local Authorities (Arrangements for the Discharge of Functions) Regulations 2000 as amended.
18	Making, amending, revoking, re-enacting or adopting byelaws.	Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978.
19	Promoting or opposing the making of local legislation or personal Bills.	Section 239 of the Local Government Act 1972.
20	The making of an agreement to establish a joint planning committee or to prepare a joint development plan document or to request the Secretary of State to revoke an order establishing such a joint committee.	Sections 28 to 31 of the Planning and Compulsory Purchase Act 2004. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
21	Power to resolve not to issue a casino premises licence and duty to publish the 3 year licensing policy.	Sections 166 and 349 of the Gambling Act 2005.
22*	Power to introduce a late night levy	Police Reform and Social Responsibility Act 2012
22	Approving the annual Pay Policy Statement	Section 38 Localism Act 2011
23	Power to make an early morning alcohol restriction order.	Section 172A Licensing Act 2003

24	Any other matter that by law is reserved for Full Council.	
25	Agreeing the discharge of functions (scheme of delegation) within Appendix 9 of the Constitution	The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
26	Appointing representatives to outside bodies unless the appointment is an executive function or has been delegated by the Council	
27	All local choice functions which the Council decides should be undertaken by itself rather than the Executive	The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
28	Appoint the Council's statutory officers (and to provide adequate resources/staffing	The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
29	Appoint a Returning Officer (for local government elections) and an Electoral Registration Officer	The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
30	To approve a pay policy statement	Sections 38 and 39 Localism Act 2011

SECTION 3A: GENERAL DELEGATIONS TO OFFICERS

1. The fact that a function has been delegated to an officer does not require that officer to give the matter his/her personal attention and that officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However, the officer to whom the delegation has been made remains responsible for any decision taken pursuant to such arrangements.
2. Subject to the exception listed below, in respect of approvals, licences, permission or registrations which come within the terms of their delegated authority, the Chief Executive, Strategic Directors, Assistant Chief Executive and Assistant Director of Legal Services are authorised¹:
 - (a) To impose conditions, limitations or restrictions;
 - (b) To determine any terms to which they are subject;
 - (c) To determine whether and how to enforce any failure to comply²;
 - (d) To amend, modify, vary or revoke; and
 - (e) To determine whether a charge should be made or the amount of such a charge
3. The Chief Executive, Strategic Directors, Assistant Chief Executive and Assistant Director of Legal Services are authorised to carry out the following in respect of those functions for which they have delegated authority³:
 - (a) To make payments or provide other benefits in cases of maladministration⁴
 - (b) Functions relating to health and safety under any relevant statutory provision within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that these functions are discharged otherwise than in the Council's capacity as an employer;
 - (c) To:
 - (i) appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure, subject to the powers delegated to the Staffing Committee and Senior Officer Appointments Panel;

¹ An officer may consider in respect of any matter that the authority delegated under this scheme may not be exercised and if so, may refer the matter to the relevant committee for determination.

² Including

- Any failure to comply with such an approval, consent, licence, permission or registration,
- Any failure to comply with a condition, limitation or term; to which any such approval, consent, licence, permission or registration is subject; or
- Any contravention in relation to a matter with regard to which the function of determining an application for approval, consent, licence, permission or registration would not be the responsibility of the executive

³ An officer may consider in respect of any matter that the authority delegated under this scheme may not be exercised and if so, may refer the matter to the relevant committee for determination.

⁴ Item 48 of Para I of Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 as amended

- (ii) appoint staff on a temporary basis to provide cover for absences or cater for peaks in workload subject to there being budgetary provision and corporate approval processes.
 - (iii) To determine issues relating to officers' terms and condition of employment and to take such action and enter into such agreement as may be required to give effect to such determinations.
- (d) The enforcement of byelaws.

SECTION 3B: CHIEF EXECUTIVE

1. The Chief Executive is the Head of Paid Service for the Council.
2. The Chief Executive is the Electoral Registration Officer for the Council, and the Returning Officer for local elections.
3. The Chief Executive¹ is authorised to discharge the following Council (non-executive functions):

Functions relating to Elections

(a)	To assign officers in relation to requisitions of the registration officer	Section 52(4) of the Representation of the People Act 1983
(b)	To provide assistance at European Parliamentary elections	Section 6(7) and (8) of the European Parliamentary Elections Act 2002
(c)	To divide constituencies into polling districts	Section 18A to 18E of and Schedule A1 to the Representation of the People Act 1983
(d)	To divide electoral divisions into polling districts at local government elections	Section 31 of the Representation of the People Act 1983
(e)	Powers in respect of holding elections	Section 39(4) of the Representation of the People Act 1983
(f)	To pay expenses properly incurred by electoral registration officer	Section 54 of the Representation of the People Act 1983
(g)	To fill vacancies in the event of insufficient nominations	Section 21 of the Representation of the People Act 1985
(h)	To declare vacancy in office in certain cases	Section 86 of the Local Government Act 1972
(i)	To give public notice of a casual vacancy	Section 87 of the Local Government Act 1972
(j)	To submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000	Section 10 of the Representation of the People Act 2000
(k) Functions relating to community governance ²		
	i) Duties relating to community governance reviews	Section 79 of the Local Government and Public Involvement in Health Act 2007

¹ The fact that a function has been delegated to the Chief Executive does not require the Chief Executive to give the matter his/her personal attention and the Chief Executive may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However, the Chief Executive remains responsible for any decision taken pursuant to such arrangements.

² Functions relating to making of recommendations under sections 87-92 of the Local Government and Public Involvement in Health Act 2007 (Item 5 Paragraph EB of Schedule 1 of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000/2853)) are reserved to the relevant committee that is responsible for making recommendations to Council.

	ii)	Functions relating to community governance petitions	Section 80, 83 to 85 of the Local Government and Public Involvement in Health Act 2007
	iii)	Functions relating to terms of reference of review	Sections 81(4) to (6) of the Local Government and Public Involvement in Health Act 2007
	iv)	Power to undertake a community governance review	Section 82 of the Local Government and Public Involvement in Health Act 2007
	v)	Duties when undertaking review	Section 93 to 95 of the Local Government and Public Involvement in Health Act 2007
	vi)	Duty to publicise outcome of review	Section 96 of the Local Government and Public Involvement in Health Act 2007
	vii)	Duty to send two copies of order to Secretary of State and Electoral Commission	Section 98(1) of the Local Government and Public Involvement in Health Act 2007
(l)		Functions relating to consultation and notification processes in relation to changing the name of an electoral area ³	S59 of the Local Government and Public Involvement in 2007
(m)		To dissolve, subject to Council approval, small parish councils	Section 10 of the Local Government Act 1972
(n)		To make orders, subject to Council approval, for grouping parishes, dissolving groups and separating parishes from groups	Section 11 of the Local Government Act 1972
(o)		To make temporary appointments to parish councils	Section 91 of the Local Government Act 1972

Functions relating to changing governance arrangements

(a)	To secure that copies of a document setting out new governance arrangements are available for public inspection, and to publish a notice about the change	Section 9KC of the Local Government Act 2000
(b)	To take any step, subject to timely consultation with the relevant committee in advance of any action being taken, under or for the purposes of complying with any order from the Secretary of State under Section 9N of the Local Government Act 2000, or related to regulations	Section 9N of the Local Government Act 2000

³ The function of passing a resolution to change the name of an electoral area under s59(1) of the Local Government and Public Involvement in Health Act 2007 is reserved to Council.

SECTION 3B: ASSISTANT CHIEF EXECUTIVE

1. Subject to the exception listed below, the Assistant Chief Executive¹ is authorised to discharge the following Council (non-executive functions):

Functions relating to Human Resources

(a)	Functions relating to local government pensions, etc	Regulations under section 7, 12 or 24 of the Superannuation Act 1972
(b)	To make arrangements to consider and determine employee appeals in relation to grievances, grading and dismissal ²	Section 112 of the Local Government Act 1972
(c)	To determine employee terms and conditions	Section 112 of the Local Government Act 1972

¹ The fact that a function has been delegated to the Assistant Chief Executive does not require the Assistant Chief Executive to give the matter his/her personal attention and the Assistant Chief Executive may arrange for such delegation to be exercised by an officer of suitable experience and seniority, however the Assistant Chief Executive remains responsible for any decision taken pursuant to such arrangements.

² Except in relation to those which are to be determined by the Appeals Panel

SECTION 3C: STRATEGIC DIRECTOR OF REGENERATION AND ENVIRONMENT

Subject to the exceptions listed below, the Strategic Director of Regeneration and Environment is authorised to discharge the following Council (non-executive) functions:

1. Regulatory Functions

(a)	Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960 (c. 62).
(b)	Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936 (c. 49).
(c)	Power to license hackney carriages and private hire vehicles.	<p>(a) as to hackney carriages, the Town Police Clauses Act 1847 (10 & 11 Vict. c. 89), as extended by section 171 of the Public Health Act 1875 (38 & 39 Vict. c. 55), and section 15 of the Transport Act 1985 (c. 67); and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (c. 57);</p> <p>(b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.</p>
(d)	Power to license drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
(e)	Power to license operators of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
(f)	Power to register pool promoters.	Schedule 2 to the Betting, Gaming and Lotteries Act 1963
(g)	Power to grant track betting licences.	Schedule 3 to the Betting, Gaming and Lotteries Act 1963
(h)	Power to license inter-track betting schemes.	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963
(i)	Power to grant permits in respect of premises with amusement machines.	Schedule 9 to the Gaming Act 1968
(j)	Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976
(k)	Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976
(l)	Power to issue cinema and cinema club licences.	Section 1 of the Cinema Act 1985
(m)	Power to issue theatre licences.	Sections 12 to 14 of the Theatres Act 1968

(n)	Power to issue entertainments licences.	Section 12 of the Children and Young Persons Act 1933 (c. 12), section 52 of, and Schedule 12 to, the London Government Act 1963 (c. 33), section 79 of the Licensing Act 1964 (c. 26), sections 1 to 5 and 7 of, and Parts I and II of the Schedule to, the Private Places of Entertainment (Licensing) Act 1967 (c. 19) and Part I of, and Schedules 1 and 2 to, the Local Government (Miscellaneous Provisions) Act 1982 (c. 30).
(o)	Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.
(p)	Power to license performances of hypnotism.	The Hypnotism Act 1952 (c. 46)
(q)	To approve premises for the solemnisation of marriages	Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995 (SI1995/510)
(r)	To licence premises for acupuncture, tattooing, ear piercing and electrolysis	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982
(s)	To licence premises for the breeding of dogs	Section 1 of the Breeding of Dogs Act 1973 and Section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999
(t)	To licence pet shops and other establishment where animals are bred or kept for the purposes of carrying on a business	Section 1 of the Pet Animals Act 1951, Section 1 of the Animal Boarding Establishments Act 1963, the Riding Establishments Act 1964 and 1970, Section 1 of the Breeding of Dogs Act 1973 and Sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999
(u)	To register animal trainers and exhibitors	Section 1 of the Performing Animals (Regulation) Act 1925
(v)	To licence zoos	Section 1 of the Zoo Licensing Act 1981
(w)	To licence dangerous wild animals	Section 1 of the Dangerous Wild Animals Act 1976
(x)	To grant consent for the operation of a loudspeaker	Schedule 2 to the Noise and Statutory Nuisance Act 1993
(y)	To issue licences for the movement of pigs	Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (SI 1996/11)
(z)	To licence the sale of pigs	Article 13 of the Pigs (Records, Identification and Movement) Order 1995
(aa)	To licence collecting centres for the movement of pigs	Article 14 of the Pigs (Records, Identification and Movement) Order 1995
(bb)	To issue a licence to move cattle from a market	Article 5(2) of the Cattle Identification Regulations 1998 (SI 1998/871)
(cc)	To sanction use of parts of buildings for storage of celluloid	Section 1 of the Celluloid and Cinematograph Film Act 1922
(dd)	Duty to enforce Chapter 1 and regulations made under it	Section 10(3) of the Health Act 2006
(ee)	Power to authorise officers to undertake enforcement in respect of smoking cessation and smoke free premises, vehicles etc.	Section 10(5) of, and paragraph 1 of Schedule 2 to, the Health Act 2006
(ff)	Functions related to fixed penalty notices	Paragraphs 13, 15 and 16 of Schedule 1 to the Health Act 2006. Smokefree (Vehicle Operators and Penalty Notices) Regulations 2007 (SI 2006/760)
(gg)	Power to transfer enforcement functions to another enforcement authority	Smoke-free (Premises and Enforcement) Regulations 2006 (SI 2006/3368)
(hh)	To licence pleasure boats and pleasure vessels	Section 94 of the Public Health Acts Amendment Act 1907

(ii)	To authorise erection of stiles etc on footpaths or bridleways	Section 147 of the Highways Act 1980
(jj)	To create footpath bridleway or restricted byway by agreement	Section 25 of the Highways Act 1980
(kk)	To create footpaths bridleways and restricted byways	Section 26 of the Highways Act 1980
(ll)	Duty to keep register of information with respect to maps, statements and declarations	Section 31A of the Highways Act 1980
(mm)	To stop up footpaths bridleways and restricted byways	Section 118 of the Highways Act 1980
(nn)	To determine applications for public path extinguishment order	Section 118ZA and 118C(2) of the Highways Act 1980
(oo)	To make a rail crossing extinguishment order	Section 118A of the Highways Act 1980
(pp)	To divert footpaths bridleways and restricted byways	Section 119 of the Highways Act 1980
(qq)	To make a public path diversion order	Section 119ZA and 119C(4) of the Highways Act 1980
(rr)	To make a rail crossing diversion order	Section 119A of the Highways Act 1980
(ss)	To make a special diversion order	Section 119B of the Highways Act 1980
(tt)	To require applicant for order to enter into agreement	Section 119C(3) of the Highways Act 1980
(uu)	To make an Sites of Special Scientific Interest diversion order	Section 12B of the Highways Act 1980
(vv)	To keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980	Section 121B of the Highways Act 1980
(ww)	To decline to determine certain applications	Section 121C of the Highways Act 1980
(xx)	To assert and protect the rights of the public to use and enjoyment of highways	Section 130 of the Highways Act 1980
(yy)	To apply for variation of order under section 130B of the Highways Act 1980	Section 130B(7) of the Highways Act 1980
(zz)	To authorise temporary disturbance of surface of footpath bridleway or restricted byway	Section 135 of the Highways Act 1980
(aaa)	To divert footpath bridleway or restricted byway temporarily	Section 135A of the Highways Act 1980
(bbb)	To extinguish certain public rights of way	Section 32 of the Acquisition of Land Act 1981
(ccc)	To keep definitive map and statement under review	Section 53 of the Wildlife and Countryside Act 1981

(ddd)	To include modifications in other orders	Section 53A of the Wildlife and Countryside Act 1981
(eee)	To keep register of prescribed information with respect to applications under section 53(5) of the Wildlife and Countryside Act 1981	Section 53B of the Wildlife and Countryside Act 1981
(fff)	To prepare map and statement by way of consolidation of definitive map and statement	Section 57A of the Wildlife and Countryside Act 1981
(ggg)	To designate footpath as cycle track	Section 3 of the Cycle Tracks Act 1984
(hhh)	To extinguish public right of way over land acquired for clearance	Section 294 of the Housing Act 1981
(iii)	To authorise stopping up or diversion of footpath bridleway or restricted byway	Section 257 of the Town and Country Planning Act 1990
(jjj)	To extinguish public rights of way over land held for planning purposes	Section 258 of the Town and Country Planning Act 1990
(kkk)	To enter into agreements with respect to means of access	Section 35 of the Countryside and Rights of Way Act 2000
(lll)	To provide access in absence of agreement	Section 37 of the Countryside and Rights of Way Act 2000
(mmm)	To licence market and street trading	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982
(nnn)	To issue, amend or replace safety certificates (whether general or special) for sports grounds	The Safety of Sports Grounds Act 1975
(ooo)	To issue, cancel, amend or replace safety certificates for regulated stands at sports grounds	Part II of the Fire Safety and Safety of Places of Sport Act 1987
(ppp)	To grant a street works licence	Section 50 of the New Roads and Street Works Act 1991
(qqq)	To grant permission for provision etc of services, amenities, recreation and refreshment facilities on highway and related powers	Section 115E, 115F and 115K of the Highways Act 1980
(rrr)	To publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980	Section 115G of the Highways Act 1980
(sss)	To permit deposit of builder's skip on highway	Section 139 of the Highways Act 1980
(ttt)	To licence planting, retention and maintenance of trees etc in part of highway	Section 142 of the Highways Act 1980
(uuu)	To licence works in relation to buildings etc which obstruct the highway	Section 169 of the Highways Act 1980

(vvv)	To consent to temporary deposits or excavations in streets	Section 171 of the Highways Act 1980
(www)	To dispense with obligation to erect hoarding or fence	Section 172 of the Highways Act 1980
(xxx)	To restrict the placing of rails, beams etc over highways	Section 178 of the Highways Act 1980
(yyy)	To consent to construction of cellars etc under street	Section 179 of the Highways Act 1980
(zzzz)	To consent to the making of openings into consent etc under streets and pavement lights and ventilators	Section 180 of the Highways Act 1980
(aaaa)	To make a special extinguishment order	Section 118B of the Highways Act 1980
(bbbb)	To assert and protect the rights of the public to use and enjoyment of highways	Section 130 of the Highways Act 1980
(cccc)	To serve notice of proposed action in relation to obstruction	Section 130A of Highways Act 1980
(dddd)	To apply for variation of order under section 130B of the Highways Act 1980	Section 130B(7) of the Highways Act 1980
(eeee)	To make good damage and remove obstructions	Section 135B of the Highways Act 1980
(ffff)	To remove nuisances deposited on the highway	Section 149 of the Highways Act 1980
(gggg)	To designate footpath as cycle track	Section 3 of the Cycle Tracks Act 1984
(hhhh)	To authorise stopping up or diversion of highway	Section 247 of the Town and Country Planning Act

2. Functions of the Licensing Authority delegated by Council

Subject to the exception set out below, the Strategic Director of Regeneration and Environment is authorised to discharge the functions of the licensing authority as set out below:-

(a)	Any function of a Licensing Authority ¹	Licensing Act 2003 and any regulations or orders made under that Act ²
(b)	Powers and functions relating to late night levy requirements	Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 and any regulations made under that Chapter.

Exceptions:

- Any function of the Licensing Authority reserved to Council³

¹ These functions will be carried out to support those matters which cannot be delegated by the Licensing Authority

² Including functions which, by virtue of the Gambling Act 2005 are delegated to the Licensing Committee

³ Section 3 of Appendix 9 of the Constitution sets out licensing functions reserved to Council, as licensing authority under the 2011 Act

3. Town and Country Planning and Development

(a)	To determine application for planning permission	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990
(b)	To determine applications to develop land without compliance with conditions	Section 73 of the Town and Country Planning Act 1990
(c)	To grant planning permission for development already carried out	Section 73A of the Town and Country Planning Act 1990
(d)	To decline to determine application for planning permission	Section 70A of the Town and Country Planning Act 1990
(e)	Duties relating to the making of determinations of planning applications	Sections 69 and 92 of the Town and Country Planning Act 1990 and Articles 5, 10, 12, 15 to 18, 20 to 24, 25 to 30 and 32 to 35, 25 and 26 of the Town and Country Planning (General Development Management Procedure) Order 2015/595 ⁴ 1995 (SI 1995/419) and directions made thereunder.
(f)	To determine application for planning permission made by a local authority, alone or jointly with another person	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (SI 1992/1492)
(g)	To make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Parts 1 to 19 of Schedule 2 to the Town and Country Planning (General Permitted Development Order 2015 (SI 2015/596) ⁵
(h)	To enter into agreement regulating development or use of land	Section 106 of the Town and Country Planning Act 1990
(i)	To issue a certificate of existing or proposed lawful use or development	Sections 191 and 192 of the Town and Country Planning Act 1990
(j)	To serve a completion notice	Section 94(2) of the Town and Country Planning Act 1990
(k)	To grant consent for the display of advertisements	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992
(l)	To authorise entry onto land	Section 196A of the Town and Country Planning Act 1990
(m)	To require discontinuance of a use of land	Section 102 of the Town and Country Planning Act 1990
(n)	To issue a temporary stop notice	Section 171E of the Town and Country Planning Act 1990
(o)	To serve a planning contravention notice, breach of condition notice or stop notice	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990
(p)	To issue an enforcement notice	Section 172 of the Town and Country Planning Act 1990
(q)	To apply for an injunction restraining a breach of planning control	Section 187B of the Town and Country Planning Act 1990
(r)	To determine applications for hazardous substances consent and related powers	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990
(s)	To determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject	Paragraph 2(6) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c 25), and paragraph 6(5) of Schedule 14 to the Act

⁴ This Order replaced 1995/419 which is cited in the Functions and Responsibilities Regulations

⁵ This Order replaced 1995/418 which is cited in the Functions and Responsibilities Regulations

(t)	To require proper maintenance of land	Section 215(1) of the Town and Country Planning Act 1990
(u)	To determine application for listed building consent, and related powers	Sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990
(v)	Duties relating to applications for listed building consent	Section 13(1) of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990 and regulations 3 to 6 and 13 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas Regulations 1990 and Arrangements for Handling Heritage Applications Direction 2015 and The Conservation Areas Direction 2015 ⁶
(w)	To serve a building preservation notice, and related powers	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990
(x)	To issue enforcement notice in relation to demolition of listed building in conservation area	Section 38 of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990
(y)	To acquire a listed building in need of repair and to serve a repairs notice	Sections 47 and 48 of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990
(z)	To apply for an injunction in relation to a listed building	Section 44A of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990
(aa)	To execute urgent works	Section 54 of Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990

4. Commons Registration

(a)	To register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to <ul style="list-style-type: none"> (i) An exchange of lands affected by section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c 67) or (ii) An order section 147 of the Inclosure Act 1845 (c 8 & 9 Vict c 118) 	Regulation 6 of the Commons Registration (New Land) Regulations 1969 (SI 1969/1843)
(b)	To register variation of rights of common	Regulation 29 of the Commons Registrations (General) Regulations 1966 (SI 1966/1471)
(c)	Functions relating to the registration of common land and town or village greens	Part 1 of the Commons Act 2006 (c 26)
(d)	Power to apply for an enforcement order against unlawful works on common land	Section 41 of the Commons Act 2006
(e)	Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference	Section 45(2) of the Commons Act 2006
(f)	Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens	Section 45(2) of the Commons Act 2006

⁶ This Direction replaced Circular 01/01 cited in the Functions and Responsibilities Regulations

5. Hedgerows and Trees

(a)	The protection of important hedgerows	The Hedgerows Regulations 1997
(b)	The preservation of trees	Sections 197 to 214D of the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation)(England) Regulations 2012 ⁷

6. High Hedges

(a)	Complaints about high hedges	Part 8 of the Anti-Social Behaviour Act 2003
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Exceptions:

The Strategic Director of Regeneration and Environment is not authorised to discharge the following town and country planning, development control and commons registration functions:

(a)	The determination of applications following a written request ⁸ to the Strategic Director of Regeneration and Environment by a Ward Member concerning an application within the Ward he/she represents that the application be referred to the Planning Board
(b)	The determination of application for development that would constitute a significant departure from the Development Plan, including a significant departure from any Local Development Framework currently in force
(c)	The determination of applications for development that would be materially different from any supplementary planning guidance or planning brief approved by or on behalf of the Council
(d)	The determination of applications for major development ⁹ which the Chair of Planning Board, in conjunction with the Strategic Director of Regeneration and Environment, considers are sensitive, controversial or would have significant impacts on local communities
(e)	The approval of applications, where approval would reverse a previous decision taken by the Planning Board
(f)	The approval of applications, where approval would conflict with an objection raised by a statutory technical consultee
(g)	Where the Chair of Planning Board, in conjunction with the Strategic Director of Regeneration and Environment, considers that the application should be referred to the Planning Board for determination because of the significance, impact or sensitivity of the proposal
(h)	The determination of applications submitted in a personal capacity by or on behalf of Members, Strategic Directors or any other officer who carries out development management functions.
(i)	Where objections have been received to Commons Registrations

⁷ These regulations replace the Regulations cited in the Functions and Responsibilities Regulations.

⁸ This request must be made to the Strategic Director of Regeneration and Environment (or officer(s) authorised by him or her to receive such requests) and should normally be made within 21 days of the date of validation. The application can be legally determined after the 21 days statutory advertisement deadline if no such request has been received by that deadline. The request must set out the reason(s) for the referral based on material planning considerations and must give rise to concerns affecting more than neighbouring properties (these being those which are notified by means of a letter as part of the Council's policy regarding publicity on householder planning applications).

⁹ "Major development" for these purposes means:

- Residential development involving the erection of ten or more dwellings or, if the number of dwellings is not known, sites of 0.5 hectares or more.
- Other development proposals (apart from minerals and waste development) where the application would result in the erection of gross floorspace of not less than 1,000 msq, or sites of 1 hectare or more
- Minerals and waste development where an Environmental Statement is required.

SECTION 3D: STRATEGIC DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICES

1. The Strategic Director of Children and Young People's Services¹ is authorised to discharge the following Local Choice Functions which have been assigned to Council

(a)	To make arrangements for appeals by governing bodies
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2. The Strategic Director of Children and Young People's Services² is authorised to discharge the following Council (non-executive functions):

(a)	To licence the employment of children	Part II of the Children and Young Persons Act 1933 bylaws made under that Part, and Part II of the Children and Young Persons Act 1963
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¹ Appointed as Director of Children's Services under Section 18 of the Children Act 2004

² The fact that a function has been delegated to the Strategic Director does not require the Strategic Director to give the matter his/her personal attention and the Strategic Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Strategic Director remains responsible for any decision taken pursuant to such arrangements.

SECTION 4A: RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

- 3.1 Executive functions include those local choice functions identified in Section 2 as the responsibility of the Executive (Cabinet), and all other functions of the Authority not specified in Section 3.
- 3.2 All executive functions will be discharged by the Executive as a whole, save to the extent that such functions are delegated to joint committees or officers.
- 3.3 The names of the Leader of the Council and Members of the Authority appointed by the Leader to the Executive are as follows:-

Leader of the Council	Councillor Chris Read
Deputy Leader of the Council	Councillor Gordon Watson
Cabinet Member	Councillor Saghir Alam
Cabinet Member	Councillor Sarah Allen
Cabinet Member	Councillor Dominic Beck
Cabinet Member	Councillor Emma Hoddinott
Cabinet Member	Councillor Denise Lelliott
Cabinet Member	Councillor David Roche

SECTION 4B: EXECUTIVE PORTFOLIOS

(1) Leader of the Council (Councillor Chris Read)

The Leader has responsibility for overall leadership of the Council and representing the borough at a national regional and sub-regional level. The Leader will take personal responsibility for leading the drive towards corporate improvement, organisational and cultural change, and is responsible for the Council's governance and ethical framework.

- Overall leadership of the Council
- Overall coordination of the Council's response to Child Sexual Exploitation
- Overall responsibility for ensuring the Council sets and delivers a balanced budget, the production of the Medium Term Financial Strategy and Treasury Management Strategy
- Setting Corporate Policy including the Corporate Plan
- Reputation Management and corporate communication
- Corporate Improvement, Innovation and Organisational change (including working with Commissioners, a healthy local democracy, and returning the Council to local democratic control)
- To lead on Standards & Governance
- Overall responsibility for Corporate Governance, including signing the Council's Annual Governance Statement to confirm the Council has appropriate rules, policies and procedures in place and operating effectively for managing its business
- To lead the Council's formal Conciliation and Consultation arrangements
- Member of the Rotherham Together Partnership Board
- To lead on City Region activity and devolution, including as member of Sheffield City Region Combined Authority
- Customer Services
- Community Cohesion

(2) Deputy Leader of the Council and Cabinet Member for Children & Young People's Services and Neighbourhood Working (Councillor Gordon Watson)

The Deputy Leader will support the Leader's day to day activity to allow him to concentrate on strategic issues. The portfolio holder will have specific responsibilities around child safeguarding, child protection and incorporates education, lifelong learning and the prevention early and intervention strategy. The Deputy Leader will also take Cabinet responsibility for the Member Neighbourhood Working model.

- Statutory position as lead member for Children
- Children's Safeguarding and prevention and early intervention strategies
- FCAF and referral and assessment processes
- Family intervention, fostering, adoption and looked after children including out of borough placements; corporate parenting lead
- Transitional arrangements from childhood to adulthood for young people with complex needs

- Lifelong Learning and lead member for Education & 14-19 Strategy including early years, schools, special schools, and pupil referral units.
- School Admissions and Appeals
- Member of the Health and Wellbeing Board
- School catering; School place planning; School effectiveness; School music service; contributing to Children, Young People and Families Partnership; Think Family Steering Group; Troubled Families agenda
- Integrated Youth Support Services
- Neighbourhood Working Model
- Member Development and Member Services

(3) Adult Social Care and Health (Councillor David Roche)

This portfolio retains the oversight of all commissioning activities and provision of adult social care, public health functions and the interface with NHS. The main thrust will be to provide services in a personalised manner around the citizen and to lead on the integration of local health and adult social care services.

- Adult Social Services including adult safeguarding, services for older people, a range of services to meet the needs of people with learning disabilities, support for people with mental health issues and dementia, and services to support people with physical disabilities
- Arrangements from childhood to adulthood for people with complex needs.
- Lead member of the implementation and effective operation of the Health and Wellbeing Board
- Lead member for preparation of the Joint Strategic Needs Assessment with health partners
- Lead for liaison with health partners to lead on the integration of local health services including prevention/early intervention activity
- Health Watch Implementation and Liaison
- Public Health, including overseeing the Health Protection Plan, prevention and improvement

(4) Jobs and the Local Economy (Councillor Denise Lelliott)

This portfolio has an emphasis on delivering jobs and strengthening the local economy combining, as well as strategic responsibilities around planning.

- All matters relating to Planning (including the Local Plan), Building Regulations and Highways Development Control
- All matters relating to Transportation (including Transportation Planning, Transportation Strategy, Transportation Policy, Traffic Manager Statutory Duty, Public Transport, sustainable transport initiatives)
- All matters relating to overall management of traffic movement
- Economic Development and Regeneration Strategy and Services
- Adult Employment Skills and Training
- Member of the Rotherham Together Partnership Economic Growth Board
- The development and Implementation of Economic Growth Regeneration projects including Inward Investment and Business Growth

- Town Centres, retail and commercial investment
- Major town centre projects and development
- Asset Management (alongside the Cabinet Member for Housing)
- Advising on the Council's bidding prospectus relating to economic and business growth schemes into City Region and national funding opportunities
- External Affairs relating to business growth and inward investment
- All matters relating to car parking (including enforcement, parking appeals and parking permits)
- Blue Badge Fraud Investigation
- Untaxed and Abandoned vehicle removal

(5) Waste, roads and community safety (Councillor Emma Hoddinott)

This portfolio oversees issues relating to community safety, including most of the council's enforcement activity, highways maintenance, and household waste services:

- Community Safety, Crime Reduction and Anti-Social Behaviour Strategies
- Chair of the Safer Rotherham Partnership
- Overall responsibility for Enforcement policy and performance (including Licensing)
- All matters relating to Waste Management, collection, recycling and bulky waste.
- Highways schemes, repairs and maintenance including all highway inspection, design, network management, enforcement, winter maintenance, highways adoptions, highway licenses, public rights of way, street lighting (including design and build), winter maintenance, and road safety including educational initiatives, road safety strategy (including safety audits), Safety Camera Partnership, Pedestrian Crossing assessments, Local safety schemes (including vehicle activated signs and 20mph zones) and school safety schemes
- Highways Asset Management Policy and Strategy, highway claims, highway, utility company works (including scaffolding, skips, events and planning) and vehicle access crossing applications
- Maintenance of signs, bollards, benches, cenotaphs, street name plates, road markings, highway fencing and barriers
- All matters relating to the deployment of portable CCTV
- Lead on Local Flood Authority duties
- All matters relating to Highway Drainage (including septic tank and cesspool emptying)
- Environmental health, food hygiene, cemeteries, crematorium, registrars and mortuary services
- All matters relating to Allotments
- All matters relating to Congestion Management
- All matters relating to Traffic Control Strategies (including Traffic Regulation Orders), Intelligent Traffic Management (automated signs) and Signing Strategy

(6) Cleaner, Greener Communities (Councillor Sarah Allen)

This portfolio oversees street cleansing and grounds maintenance services, including in parks and green spaces, culture and leisure services, and other aspects of work in communities:

- All matters relating to litter, street cleansing and grounds maintenance, including mechanical sweeping and litter collection and graffiti removal, and grounds maintenance of green spaces (Streetpride services unless specified in another portfolio)
- All matters relating to pest control and dog wardens
- Representing the Council on partnerships as requested by the Leader, including Parish Council Liaison and the voluntary and community sectors
- Social Inclusion
- Cultural Services, including libraries, heritage, theatres and arts and service centres
- All matters relating to Leisure Services, recreation and sport
- Development of events programme in Parks, green spaces and recreational facilities
- The Food for People in Crisis and crisis loans schemes
- Community Cohesion (supporting the Leader)

(7) Housing (Councillor Dominic Beck)

This portfolio is responsible for the council's housing stock and Rotherham Housing Strategy, increasing access to affordable housing and regulation of private sector landlords.

- Responsibility for management, improvement and adaptation of the housing stock
- Oversight of the Housing Revenue Account
- Housing Strategy and affordability policies
- Asset Management (in relation to Housing and HRA assets)
- Planning for future housing needs (alongside the Cabinet Member for Jobs and the Local Economy)
- Selective Licensing and regulation of private landlords

(8) Corporate Services and Finance (Councillor Saghir Alam)

This portfolio is concerned with the proper and efficient working of the council and its processes. Specific responsibilities are:

- To lead on day to day working of financial activity (including Revenues and Benefits), and to support the Leader in development of the Budget and Capital Strategy
- Human resources strategies, policies and procedures
- To lead on all matters relating to Legal and Democratic Services
- To lead on the Corporate Performance Management arrangements
- To lead on ICT, particularly on new ways of working

- To lead on Internal Audit and Risk Management
- To be responsible for corporate Commissioning and Procurement strategies and implementation
- To lead on Health, Safety and Equalities at Work
- To lead on Emergency Planning issues

SECTION 4C: OFFICER DELEGATION SCHEME (EXECUTIVE FUNCTIONS)

INTRODUCTION

1. This officer delegation scheme sets out the executive functions delegated to officers by the Leader under his/her Executive Arrangements¹.
2. The fact that a function stands delegated to an officer under these arrangements shall not preclude the Cabinet, from exercising the function directly.
3. An officer may consider that a delegated authority should not be exercised and that it should be referred to the Cabinet for determination.
4. An appropriate Cabinet Member may require that an officer refrains from exercising a delegated authority in respect of a particular matter and refer it instead to the Cabinet, for a decision.
5. The Cabinet may determine to reserve decisions about particular matters to itself.
6. In addition to the delegations set out in this scheme, the Cabinet can arrange for further delegations on specific matters.
7. Unless expressly indicated, the fact that a function has been delegated to an officer under this scheme does not require that officer to give the matter his/her personal attention. The officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the officer specified under this scheme will remain responsible for any decision taken pursuant to such arrangements.
8. Delegations set out in this scheme will be read in conjunction with all provisions of the Council's Constitution, and decisions taken by officers in accordance with this scheme will be taken in accordance with all relevant rules and protocols.
9. In taking decisions in relation to executive functions, officers will ensure that they:
 - (a) take appropriate advice in relation to legal and financial considerations;
 - (b) make appropriate arrangements for assessing the impact of the decision in relation to equalities; and
 - (c) undertake appropriate consultation, including Cabinet Members and Ward Members (where appropriate).
10. Strategic Directors will be required to maintain a sub-scheme of delegation for their directorate and publish such sub-schemes following the Annual Meeting of the Council

¹ Council functions are delegated by Full Council and are set out in the Officer Delegation Scheme (Council (non-executive) Functions). The executive functions delegated by the Leader should be construed in a broad and inclusive fashion to include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of those functions. They should not however be understood to include any Council function.

SECTION 4C1: CHIEF EXECUTIVE – DELEGATED EXECUTIVE FUNCTIONS

The Chief Executive is authorised¹ to discharge any function of the Executive not otherwise delegated to a Strategic Director including the following functions in relation to²

1. Functions in relation to elections including:-
 - (a) The registration of electors;
 - (b) Elections and referenda in relation to local matters, including reviews of polling districts, places and stations;
 - (c) Assisting with and responding to consultation in relation to boundary reviews of all types, including:-
 - (i) parliamentary constituency reviews;
 - (ii) electoral reviews;
 - (iii) principal area boundary reviews;
 - (iv) structural reviews; and
 - (d) Community governance reviews.
2. Civic and ceremonial functions of the Council including provision of support to the Mayor, ceremonial occasions; and authorisation of use of Council's Crest.
3. Devolution and local freedoms including delivery of devolved powers and freedoms and liaison with:-
 - (a) South Yorkshire Combined Authority and Sheffield City Region bodies; and
 - (b) Central government departments.

SECTION 4C2: ASSISTANT CHIEF EXECUTIVE – DELEGATED EXECUTIVE FUNCTIONS

The Assistant Chief Executive is authorised³ to discharge executive functions in relation to:-⁴

1. Change and Innovation
2. Communications and Marketing
3. Democratic Services, including Scrutiny and Management Support
4. Human Resources
5. Neighbourhood Working and Thriving Communities
6. Performance, Intelligence and Improvement, including Policy and Partnerships

¹ Save where the Leader or the relevant Portfolio Holder has directed or the Chief Executive considers that the matter should be referred to Cabinet for consideration

² Together with similar and ancillary functions which have not been delegated to another Strategic Director

³ Save where the Leader or the relevant Portfolio Holder has directed or the Assistant Chief Executive considers that the matter should be referred to Cabinet for consideration

⁴ Together with similar and ancillary functions which have not been delegated to another Strategic Director

SECTION 4C3: STRATEGIC DIRECTOR OF ADULT CARE, HOUSING AND PUBLIC HEALTH – DELEGATED EXECUTIVE FUNCTIONS

The Strategic Director of Adult Care, Housing and Public Health is authorised¹ to discharge executive functions² through the commissioning and provision of social services for adults and public health services for the whole population and delivery of housing for the Borough, including:-

- 1. Adult Social Care**
 - (a) Care Services
 - (b) Independence and Support Planning
 - (c) Provider Services
 - (d) Safeguarding and Professional Practice
- 2. Housing**
 - (a) Business and Commercial Development
 - (b) Contract and Service Development
 - (c) Housing and Estates
 - (d) Housing Options
 - (e) Housing Strategy and Investment
- 3. Public Health**
 - (a) Commissioning and Quality
 - (b) Health Improvement
 - (c) Health Intelligence
 - (d) Health Protection
- 4. Strategic Commissioning**
 - (a) Commissioning
 - (b) Quality and Performance

¹ Save where the Leader or the relevant Portfolio Holder has directed or the Strategic Director considers that the matter should be referred to Cabinet for consideration

² Together with similar and ancillary functions which have not been delegated to another Strategic Director

SECTION 4C4: STRATEGIC DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S SERVICES – DELEGATED EXECUTIVE FUNCTIONS

The Strategic Director of Children and Young People's Services is authorised³ to discharge executive functions for:-⁴

- 1. Commissioning, Performance and Quality**
 - (a) Commissioning and Partnerships
 - (b) Performance and Planning
 - (c) Programme Management
- 2. Early Help and Family Engagement**
 - (a) Locality working
 - (b) Projects and Transformation
 - (c) Troubled Families
 - (d) Youth Offending and Prevention
- 3. Education**
 - (a) Early Years, Childcare and Community Learning
 - (b) Education Place Planning
 - (c) Inclusion
 - (d) Performance, Quality and Outcomes
 - (e) Virtual School
- 4. Social Care**
 - (a) First Response
 - (b) Locality Social Work
 - (c) Looked After Children and Children in Care
 - (d) Safeguarding and Quality Assurance

³ Save where the Leader or the relevant Portfolio Holder has directed or the Strategic Director considers that the matter should be referred to Cabinet for consideration

⁴ Together with similar and ancillary functions which have not been delegated to another Strategic Director

SECTION 4C5: STRATEGIC DIRECTOR OF FINANCE AND CUSTOMER SERVICES – DELEGATED EXECUTIVE FUNCTIONS

The Strategic Director of Finance and Customer Services is authorised¹ to discharge executive functions for:-²

- 1. Setting, support and monitoring the Council's financial strategy and ensuring effective financial management and controls³, including:-**
 - (a) Reporting on the robustness of the Council's financial plans;
 - (b) Managing the Council's borrowing and investment requirements;
 - (c) Managing and monitoring the Council's revenue budget and capital programme;
 - (d) Preparation and closure of the Council's financial accounts;
 - (e) Managing the Council's tax affairs
 - (f) Internal audit; and
 - (g) Determining requests for early release and flexible retirement, in consultation with the relevant Cabinet Member.
- 2. Implementing effective financial management and controls, including:-**
 - (a) Collecting council tax and business rates, and collecting other money that is owed to the Council;
 - (b) Administration of pensions; and
 - (c) Insurance for the Council.
- 3. Setting, supporting and monitoring the Council's policies and procedures for managing:-**
 - (a) Budgets
 - (b) Information and communications technology and digital services
 - (c) Information governance
 - (d) Procurement and purchasing
 - (e) Legal Services
- 4. Supporting the corporate governance of the Council, particularly in respect of (delegated to the Assistant Director of Legal Services as Monitoring Officer, where appropriate):-**
 - (a) The requirements of the Members' Code of Conduct
 - (b) Upkeep of the Constitution; and
 - (c) Preparation of the Annual Governance Statement
- 5. The council's corporate customer services functions including:-**
 - (a) The telephone contact centre
 - (b) Digital access, including the Council's website

¹ Save where the Leader or the relevant Portfolio Holder has directed or the Strategic Director considers that the matter should be referred to Cabinet for consideration

² Together with similar and ancillary functions which have not been delegated to another Strategic Director

³ The Strategic Director of Finance and Customer Services has responsibility for these arrangements as Section 151 Officer

SECTION 4C6: STRATEGIC DIRECTOR OF REGENERATION AND ENVIRONMENT – DELEGATED EXECUTIVE FUNCTIONS

The Strategic Director of Regeneration and Environment is authorised¹ to discharge executive functions for:-²

1. Community Safety and Street Scene

- (a) Community Safety, Resilience and Emergency Planning
- (b) Highways and Network Management
- (c) Regulation and Enforcement
- (d) Waste and Street Scene

2. Culture, Sport and Tourism

- (a) Culture, Heritage and Sports
- (b) Libraries and Neighbourhood Hubs
- (c) Museums

3. Planning, Regeneration and Transport

- (a) Asset Management
- (b) Business, Retail and Investment
- (c) Economic Development
- (d) Facilities Services
- (e) Planning and Building Control
- (f) Transport Strategy

¹ Save where the Leader or the relevant Portfolio Holder has directed or the Strategic Director considers that the matter should be referred to Cabinet for consideration

² Together with similar and ancillary functions which have not been delegated to another Strategic Director

SECTION 5: TERMS OF REFERENCE FOR COMMITTEES, BOARDS AND PANELS

Name of Committee	Committee Size	Terms of Reference
Cabinet	Up to 10 Members	<p>The Cabinet has the following terms of reference and has power to determine all matters arising under these, save those which are reserved for approval by the full Council.</p> <ol style="list-style-type: none"> 1. Providing a focus for community leadership in the borough. 2. The development of plans and strategies for approval by the full Council and the determination and approval of plans and strategies which do not require the approval of the full Council. 3. The preparation and submission of budget proposals for approval by the full Council. 4. The determination of the council tax base and recommendations to full Council as to the level of council tax. 5. The preparation and submission of the Capital Programme and any changes thereto for approval by full Council. 6. Making recommendations to Council on other matters which are reserved to full Council, except where this is the specific responsibility of some other body on the Council, such as the Standards and Ethics Committee or Audit Committee. 7. The approval of variations to strategies and policies, plans and programmes within the budgetary and policy framework as determined by full Council and in accordance with the Council's Constitution. 8. The approval of variations to the Capital or Revenue Programme budgets within the overall Capital Programme and budgetary framework determined by full Council and in accordance with Financial Regulations. 9. The taking of all key decisions. 10. The adoption of Corporate Policies which assist in the preparation and delivery of service and business plans. 11. The overall co-ordination of the Council's business and the determination of any action required to implement plans and policies agreed by the Council. 12. The monitoring of the Council's performance including performance of the Council's land and property. 13. The determination of the future use of the Council's land and property.

		<ol style="list-style-type: none"> 14. The determination of schedules of maintenance and other expenditure upon property within the approved capital programme and revenue budget. 15. Agreement to the disposal by way of sale or lease of land and buildings, including disposal of land and buildings at less than best consideration. 16. The determination of the Council's response in discussions and dealings with the public, voluntary, business and community sectors. 17. The formation and monitoring of partnerships with other agencies. 18. Responding to reports or recommendations received from overview and scrutiny committees within two months of receipt. 19. Consideration of any recommendations from the Council's Standards and Ethics Committee or Audit Committee. 20. Consideration of any motions or petitions referred from the full Council. 21. The receipt of and consideration of action consequent upon any report relating to any inspection of the whole or part of the Council. 22. The receipt of and consideration of action consequent upon any report concerning the inspection of any school within the borough. 23. The approval of the exercise of any powers under sections 14 or 15 of the Schools Standards and Framework Act 1998 (Intervention by local education authorities in schools causing concern) or any amendment or re-enactment thereof. 24. The exercise of any other executive function which the Leader or Cabinet determines shall be decided by the full Cabinet or which has been referred to the Cabinet by an individual Cabinet member.
Health and Wellbeing Board		<p>All relevant functions under the Health and Social Care Act 2012, in particular:</p> <p>195 Duty to encourage integrated working</p> <ol style="list-style-type: none"> 1. The Health and Wellbeing Board must, for the purpose of advancing the health and wellbeing of the people in its area, encourage persons who arrange for the provision of any health or social care services in that area to work in an integrated manner. 2. The Health and Wellbeing Board must, in particular, provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 in connection with the provision of such services.

		<ol style="list-style-type: none"> 3. The Health and Wellbeing Board may encourage persons who arrange for the provision of any health-related services in its area to work closely with the Health and Wellbeing Board. 4. The Health and Wellbeing Board may encourage persons who arrange for the provision of any health or social care services in its area and persons who arrange for the provision of any health-related services in its area to work closely together. 5. Any reference in this section to the area of a Health and Wellbeing Board is a reference to the Borough of Rotherham. <p>196 Other functions of Health and Wellbeing Boards</p> <ol style="list-style-type: none"> 1. The Health and Well Being Board will exercise the functions of Local Authority and it partner Clinical Commissioning Group under s116 and s116A of the Local Government Public Involvement Act 2007. 2. The Health and Well Being Board may give the Council its opinion on whether the Council is discharging its duty under s116B of the Local Government Public Involvement Act 2007. <p>Local Government Public Involvement Act 2007</p> <p>116 Health and social care: joint strategic needs assessments</p> <ol style="list-style-type: none"> 1. The Health and Well Being Board must prepare and publish an assessment of relevant needs in relation to the Borough of Rotherham. 2. A further assessment of relevant needs in relation to the Borough of Rotherham must be prepared if the Secretary of State so directs and may be prepared at any time. <p>116A Health and social care: joint health and wellbeing strategies</p> <ol style="list-style-type: none"> 1. Where an assessment of relevant needs has been prepared under section 116 above the Health and Well Being Board must prepare and publish a strategy for meeting the needs included in the assessment by the exercise of functions of the authority, the National Health Service Commissioning Board or the clinical commissioning groups ("a joint health and wellbeing strategy").
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		116B Duty to have regard to assessments and strategies 1. The Health and Well Being Board must, in exercising any functions, have regard to-- (a) any assessment of relevant needs prepared by the the Health and Well Being Board under section 116 which is relevant to the exercise of the functions, and (b) any joint health and wellbeing strategy prepared under section 116A which is so relevant.
Audit Committee	5 Members	The Audit Committee has the delegated power to determine the following:- 1. approve the internal auditor's annual plan 2. approve revisions to the internal auditor's plan 3. approve the internal auditor's annual report 4. approve the annual review of the effectiveness of internal audit 5. approve the external auditor's annual plan 6. approve revisions to the external auditor's plan 7. approve the external auditor's annual report 8. approve the annual governance statement 9. approve the draft statement of accounts for audit 10. receive and respond to the external auditor's ISA260 (International Standards on Auditing) report on the accounts 11. approve the final audited statements of accounts.

Licensing Board	21 Members	<ol style="list-style-type: none"> 1. The determination of matters relating to the Councils Statutory Licensing Functions as set out below:- <ol style="list-style-type: none"> (a) Hackney Carriage and Private Hire; (b) Charitable collections (Street Collections and House to House Collections); (c) Marriage and Civil Partnership Premises; (d) Small Bus Permits; (e) Scrap Metal Dealers; (f) Motor Salvage Operators; (g) Sex Establishment Licences (including variation and revocation); (h) Hypnotism 2. To determine any matters referred to the Licensing Board by the Assistant Director of Community Safety and Street Scene in relation to 1a to e above. 3. To review and approve terms and conditions (where appropriate) of any licence, permit, registration or consent or in relation to certificate any of the functions within the remit of the Board. 4. To consider and recommend to the Council, the making, amendment and revocation of Byelaws. 5. To determine and review in line with Government Guidance any Designated Public Places Orders which are in place within the Borough. <p>In order to discharge its functions, sub-committees of five Members of the Licensing Board may be established to appointed by the Head of Democratic Services.</p>
Licensing Committee	15 Members	<ol style="list-style-type: none"> 1. To consider and determine applications under the Licensing Act 2003: <ol style="list-style-type: none"> (a) for personal licences where there are unspent convictions or where relevant Police representations have been received; (b) for the variation of a designated personal licence holder where relevant Police representations have been made; (c) for the transfer of a premises licence where relevant Police representations have been made; (d) for premises licences/club premises certificates, provisional statements and the variation of premises licences/club premises certificates where relevant representations have been made (e) to review a premises licence/club premises certificate; (f) for determination of a Police representation to a temporary event notice;

		<ul style="list-style-type: none"> (g) for a provisional statement where relevant representations have been made; (h) for interim authorities where relevant representations have been made; (i) for determination of an application for a summary review on the grounds of serious crime and/or disorder made by the Chief Officer of Police under Section 53(A) of the Licensing Act 2003; (j) any other matter referred to a Sub Committee by the Assistant Director of Community Safety and Street Scene. <p>2. To consider and determine applications under the Gambling Act 2005:</p> <ul style="list-style-type: none"> (a) for a premises licence where relevant representations have been received and not withdrawn; (b) for a variation to a premises licence where relevant representations have been received and not withdrawn; (c) for a provisional statement where relevant representations have been received and not withdrawn; (d) for club/gaming machine permits where objections have been received and not withdrawn; (e) the cancellation of club/gaming machine permits; (f) to give a counter notice to a temporary use notice; (g) to attach/exclude a condition under Section 169 (i) (a) or (b) of the Act where the consent of the applicant or interested party who has made relevant representations has not been given; (h) for small lottery registrations where objections have been made and not withdrawn; (i) for other permits where objections have been made and not withdrawn; (j) any other matter referred to the Sub Committee by the Assistant Director of Community Safety and Street Scene. <p>In accordance with the Licensing Act 2003 and Gambling Act 2005, sub-committees of three Members will be appointed by the Head of Democratic Services in order effectively to discharge the functions of the Licensing Committee.</p>
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Planning Board	15 Members	<ol style="list-style-type: none"> 1. Power to determine applications for planning permission – sections 70 (1) (a) and (b) and 72 of the Town and Country Planning Act 1990. 2. Power to determine applications to develop land without compliance with conditions previously attached – section 73 of the Town and Country Planning Act 1990. 3. Power to grant planning permission for development already carried out – section 73A (a) of the Town and Country Planning Act 1990. 4. Power to decline to determine an application for planning permission – section 70A of the Town and Country Planning Act 1990. 5. Power to determine an application for planning permission made by a local authority, alone or jointly with another person – section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492). 6. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights – Parts 6,7,11,17,19,20,21 to 24,26,30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418). 7. Power to enter into an agreement regulating development or use of land –section 106 of the Town and Country Planning Act 1990. 8. Power to issue a certificate of existing or proposed lawful use or development – sections 191 (4) and 192 (2) of the Town and Country Planning Act 1990. 9. Power to serve a completion notice – section 94 (2) of the Town and Country Planning Act 1990. 10. Power to grant consent for the display of advertisements – section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992. 11. Power to authorise entry onto land. 12. Power to require the discontinuance of a use of land – section 102 of the Town and Country Planning Act 1990. 13. Power to serve a planning contravention notice, breach of condition notice or stop notice – sections 171C, 187A and 183 (1) of the Town and Country Planning Act 1990. 14. Power to issue an enforcement notice – section 172 of the Town and Country Planning Act 1990. 15. Power to issue a temporary stop notice.
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		<ol style="list-style-type: none"> 16. Power to apply for an injunction restraining a breach of planning control – section 187B of the Town and Country Planning Act 1990. 17. Power to determine applications for hazardous substances consent, and related powers – sections 9 (1) and 10 of the Planning (Hazardous Substances) Act 1990. 18. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject – paragraph 2 (6) (a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9 (6) of Schedule 13 to the Environment Act 1995 and paragraph 6 (5) of Schedule 14 to that Act. 19. Power to require proper maintenance of land – section 215 (1) of the Town and Country Planning Act 1990. 20. Power to determine application for listed building consent, and related powers – sections 16 (1) and (2), 17, 27 (2) and 33 (1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990. 21. Power to determine applications for Conservation Area Consent – section 16 (1) of the Planning (Listed Buildings and Buildings in Conservation Areas Act 1990, as applied by section 74 (3) of that Act. 22. Duties relating to applications for Listed Building Consent and Conservation Area Consent – sections 13 (1) and 14 (1) and (4) of the Planning (Listed Buildings in Conservation Areas) Act 1990 and regulations 3 to 6 and 13 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990 and paragraphs 8, 15 and 22 of Department of the Environment Circular 14/97. 23. Power to serve a Building Preservation Notice, and related powers – sections 3 (1) and 4 (1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990. 24. Power to issue an enforcement notice in relation to the demolition of an unlisted building in a conservation area – section 38 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990. 25. Powers to acquire a listed building in need of repair and to serve a repairs notice – sections 47 and 48 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990. 26. Power to apply for an injunction in relation to a listed building – section 44A of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.
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		<p>27. Power to execute urgent works – section 54 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.</p> <p>28. Powers relating to the preservation of trees – sections 197 to 214D of the Town and Country Planning Act 1990 and the Trees Regulations 1999 (S.I. 1999/1892).</p> <p>29. Powers relating to the protection of important hedgerows – The Hedgerows Regulations 1997 (S.I. 1997/1160).</p> <p>30. Power to make limestone pavement orders – section 34(2) of the Wildlife and Countryside Act 1981 (c. 69).</p>
Staffing Committee	<p>The Committee shall comprise:</p> <ul style="list-style-type: none"> • Leader of the Council • Deputy Leader of the Council • Other Cabinet Members whose portfolios are affected by the issues to be considered • Leader of the Majority Opposition party. 	<ol style="list-style-type: none"> 1. To prepare and recommend for approval by the Council the annual Pay Policy Statement 2. To determine conditions of service and remuneration of the Chief Executive and chief officers in line with the Council's approved Pay Policy Statement 3. To determine employment policies and procedures 4. To respond to consultations 5. To respond to emergency staffing matters. 6. To determine applications for early retirement 7. To consider major Staffing and Organisational Reviews. 8. To provide the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer with such staff as are in their opinion sufficient to allow their statutory duties to be performed. 9. To determine the assignment and re-grading of posts: <ul style="list-style-type: none"> • above SCP49 (PO15) and below £100,000 p.a.; or • up to and including SCP49 (PO15) where there is disagreement between the Chief Executive and the relevant Chief Officer, or where the Chief Executive considers that the matter has corporate significance. 10. To determine the payment of honoraria exceeding 12 months duration in respect of posts above PO15. 11. To determine policies relating to local government pensions and discretionary compensation for early termination of employment. 12. To constitute the Employers' side of any Local Joint Committee with the relevant trade unions. 13. To make recommendations to Council in relation to decisions affecting the remuneration of any post whose remuneration is or is proposed to be or would become £100,000 p.a. or more and in relation to proposed severance packages with a value of £100,000 or more.

Senior Officer Appointments Panel	<p>The Panel shall comprise:-</p> <ul style="list-style-type: none"> • Leader of the Council • Deputy Leader of the Council • Relevant Cabinet Member(s) • Leader of the Majority Opposition Group • Chair of Overview and Scrutiny Management Board • Other members to be determined by the Leader of the Council, in order to achieve a representative composition reflecting the diversity of the Council <p>who will have undertaken appropriate training in respect of recruitment and selection</p>	<p>1. To appoint strategic directors and assistant directors</p>
Employment Appeals Panel	<p>The Panel shall comprise three members of the Council selected from a pool of eight members:</p> <ul style="list-style-type: none"> • two of whom shall be Cabinet members, • four of whom shall be Scrutiny Panel members and • two of whom shall be members of the opposition party) <p>who have received appropriate training on employment related issues.</p>	<p>1. The determination of an appeal against any decision made by or on behalf of the Council (no member of the executive or other member of the Council who was involved in making the decision appealed against may sit on the panel that considers the appeal).</p>

Housing Tenancy and Anti-Social Behaviour Review Panel	The Panel shall comprise at least three elected members from the Improving Lives Scrutiny Commission or Improving Places Scrutiny Commission and a housing policy and community safety advisor	<ol style="list-style-type: none"> 1. The Panel and the senior officers in Housing and Neighbourhood Services or Community Safety and Street Scene may review and confirm, confirm with conditions attached or not confirm, notices of proceedings for possession in respect of breaches of tenancy agreements. 2. The Panel may undertake the statutory reviews of the Council's decisions to seek a possession order of a Council tenancy on the absolute ground of ant-social behaviour, as required by section 85ZA of the Housing Act 1985.
Standards and Ethics Committee	<p>To be comprised of:-</p> <ul style="list-style-type: none"> • eight Councillors, other than the Mayor and Leader; • three members of town or parish councils within the Borough (parish members) to be appointed by the town and parish councils that have delegated their powers under Chapter 7 of the Localism Act 2011 to the Council; and • five persons who are not councillors or officers of the Council (independent members). 	<ol style="list-style-type: none"> 1. To promote and maintain high standards of conduct by the members and co-opted members of the Council. 2. To assist members and co-opted members of the Council to observe the Council's Code of Conduct for Members and Co-opted Members. 3. To advise the Council on the adoption and revision of its Code of Conduct for Members and Co-opted Members. 4. To monitor the operation of the Code of Conduct for Members and Co-opted Members and to recommend to Council revisions as appropriate, and to ensure that the Code is fully understood and applied throughout the Council. 5. To advise, train or arrange to train members and co-opted members of the Council and members of local town and parish councils on matters relating to the Code of Conduct. 6. To authorise dispensations to Members and Co-opted Members of the Council in accordance with section 33 of the Localism Act 2011. 7. To review arrangements as to the declarations of the interests of members, co-opted members and officers, to monitor the operation of such arrangements and to offer advice on their application. 8. To review and recommend such other protocols, local codes and guidance as may be considered desirable to build upon the rules contained within the Code of Conduct for Members and Co-opted whilst not forming part of it. 9. To establish a Complaints Hearing Sub-committee to hear complaints about the conduct of Members and Co-opted Members and the Members of local town and parish councils which have not been capable of informal resolution and to decide: <ol style="list-style-type: none"> a. Whether the subject Member has failed to comply with the relevant Code of Conduct; b. Whether further action is warranted; and c. What form of action might be appropriate.

		<p>And to then make any appropriate recommendations to Standards and Ethics Committee, Council or the relevant local parish or town council.</p> <ol style="list-style-type: none"> 10. To consider any other recommendations, guidance or direction referred to the Committee or the Monitoring Officer. 11. To consider any application for exemption from political restriction made to the Committee by the holder of any post under the Council and to give directions to the Council requiring it to include a post in the list of political restricted posts maintained by the Council. 12. To establish and monitor the operation of Whistleblowing Procedures. 13. To review the application of the Council Procedure Rules and Financial & Procurement Procedure Rules and other such provisions. 14. To consider reports arising from external inspections, audit investigations, Ombudsman investigations, legal challenges and other sources which cast doubt on the honesty or integrity of the Council, its members or officers, and to recommend action to the full Council or Cabinet as appropriate. 15. To consider and offer advice and guidance as appropriate on other matters which in the view of the Committee or the Council's Monitoring Officer could have a bearing on the honesty and integrity of the Council, its members, co-opted members and officers. 16. To consider and make recommendations on such other matters as the Committee itself thinks appropriate or which are referred for attention by the Council or the Cabinet which further the aim of promoting and maintaining high standards of conduct within the authority. <p>In these terms of reference "co-opted member of the Council" means a person who is not a member of the Council, but who:-</p> <ol style="list-style-type: none"> (a) is a member of any committee or sub-committee of the Council, or (b) is a member of and represents the Council on any joint committee or joint sub-committee of the Council <p>and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee.</p>
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<p>Overview and Scrutiny Management Board</p>	<p>12 Members comprising;-</p> <ul style="list-style-type: none"> • a chairperson who shall be a councillor appointed by the Council; • a vice-chairperson who shall be appointed by the Council and who shall be a member of the main opposition group; and • the chairs and vice-chairs of the overview and scrutiny select commission who shall be councillors appointed by the Council so as to reflect the political balance of the Council • the chair and vice-chair of the Audit Committee (subject to the political balance of the Council) • sufficient opposition councillors nominated by Opposition Parties or councillors and appointed by the Council, to ensure political balance 	<ol style="list-style-type: none"> 1. To consider matters relating to the conduct, structure and procedures of overview and scrutiny; 2. To provide overview and scrutiny of the Council's values, plans and strategies and to make recommendations for improvements as it considers appropriate; 3. To co-ordinate and prioritise the overview and scrutiny work programme and assign work, as it considers appropriate, to the various select commissions 4. To establish task and finish scrutiny working groups; this includes:- <ol style="list-style-type: none"> (a) determining their size and membership; and, (b) approving their terms of reference; 5. To liaise with the Leader and Cabinet to regularly attend the OSMB to assist in consideration of the scrutiny work programme, 6. To co-ordinate respective work programmes with the Chair of the Audit Committee and Parish Councils to identify areas of joint working as appropriate and. minimise areas of duplication, 7. To consider a request made under a Councillor Call for Action in relation to a local government matter (under the powers outlined in Section 119 of the Local Government and Public Involvement in Health Act 2007) 8. To consider a request made under a Councillor Call for Action in relation to crime and disorder issues (under the powers outlined in the Police and Justice Act 2006). 9. To act as the designated Crime and Disorder Committee under powers outlined in the Police and Justice Act 2006. 10. To monitor and hold to account the performance of service delivery within the Council and its partners etc with particular reference to the Corporate Plan; 11. To scrutinise and monitor whether efficiency savings are achieved or exceeded; 12. To co-ordinate the carrying out of value for money reviews; 13. To scrutinise the annual budget setting process; and 14. To monitor the Council's budget and medium term financial strategy. 15. To consider matters relating to equalities and diversity and the Council's specific initiatives to promote them; 16. To make recommendations to the Cabinet, partners or to any organisation on issues scrutinised relevant to those bodies, and where appropriate, direct to Council; 17. To co-ordinate for joint scrutiny activity with other authorities and non-executives/scrutineers from other bodies; 18. To approve an annual overview and scrutiny work programme, including the programme of any sub- committees it appoints;
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		<p>19. To ensure that there is efficient use of the board's and overview and scrutiny select commission's time, and that the potential for duplication of effort is minimised.</p> <p>20. To ensure that members of the board and overview and scrutiny select commissions may efficiently carry out their work.</p> <p>21. To prepare and approve an annual overview and scrutiny work programme for implementation by the select commissions or their review groups, including –</p> <p>(a) liaison with the Cabinet and Senior Leadership Team, service reviews conducted on the basis of a scheduled programme of reviews or in response to a matter brought to the committee's attention by –</p> <ul style="list-style-type: none"> • an overview and scrutiny select commission; • an organisation with which the Council is in partnership, or • the public as a result of a public consultation exercise, or • the Forward Plan of key decisions; <p>22. To undertake reviews in consequence of the Council's Corporate Plan and;</p> <p>23. To undertake performance reviews of joint authorities, committees and other bodies whose activities concern the borough and its inhabitants (eg the Police, and public transport operators);</p> <p>24. To undertake reviews under the statutory powers to scrutinise the health service;</p> <p>25. To undertake reviews under the Council's general power of competence and power to promote the well-being of the citizens of Rotherham;</p> <p>26. To monitor and review the implementation of changes made following the acceptance by the Council of recommendations in earlier scrutiny reports;</p> <p>27. To submit an annual report to the Council on the operation of overview and scrutiny select commissions and recommendations for future work, in accordance with article 8(6) of the Constitution;</p> <p>28. To determine which overview and scrutiny select commission will assume responsibility for any particular issue, where matters fall within the remit of more than one select commission and to resolve any issues of dispute between them;</p> <p>29. To receive requests from the Cabinet and the Council or both for reports from a select commission and to allocate them as appropriate;</p> <p>30. To put in place and maintain a system to ensure that referrals from select commissions to the Cabinet, either by way of report or for reconsideration, are managed efficiently;</p> <p>31. To make reports or recommendations to the Cabinet or the Council in respect of functions which are the responsibility of the executive;</p>
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		<p>32. To review or scrutinise decision making processes or actions taken in connection with the discharge of functions which are not the responsibility of the Cabinet</p> <p>33. To make reports or recommendations to the Council in respect of functions which are not the responsibility of the executive;</p> <p>34. To make reports or recommendations to the full Council or the Cabinet on matters which affect the borough or the inhabitants of the borough; and</p> <p>35. To arrange public consultation exercises for the purpose of assessing public satisfaction with current policies or to assist in the development of new policies.</p>
Scrutiny Select Commissions	<p>The Commissions shall comprise:</p> <ul style="list-style-type: none"> • 18 Members of the Council • any non-voting co-optees appointed from time to time by each select commission; and • in the case of the Improving Lives Select Commission the education representatives appointed by the Council. 	<ol style="list-style-type: none"> 1. To carry out the annual overview and scrutiny work programme set for each select commission by the OSMB, including – <ol style="list-style-type: none"> (a) service reviews conducted on the basis of clear priorities set in response to Cabinet, Council or a matter brought to the select commission's attention by a petition, other overview and scrutiny select commission, organisation with which the Council is in partnership, referral from tenant or user group bodies (for example area housing panels or Rotherham Youth Cabinet) or as a result of a public consultation exercise; (b) performance reviews of joint authorities, other select commissions and other bodies whose activities concern the borough and its inhabitants (eg the Police, and public transport operators). 2. To submit reports commissioned by the OSMB in response to requests from the Cabinet or the Council (or both) for reports from overview and scrutiny select commissions. 3. To submit reports with recommendations to the Cabinet or the full Council in respect of functions which are the responsibility of the executive and which fall within the remit of the particular select commission. 4. To review and scrutinise decisions made or actions taken in connection with the discharge of functions which are not the responsibility of the executive but which fall within the remit of the particular select commission. 5. To submit reports with recommendations to the full Council in respect of functions which are not the responsibility of the executive but which fall within the remit of the particular select commission. 6. To submit reports commissioned by the OSMB with recommendations on matters that affect the borough or the inhabitants of the borough for submitting to the Council or the Cabinet.

		<p>7. To arranging public consultation exercises for the purpose of assessing public satisfaction with current council policies or to assist in the development of new policies.</p> <p>SPECIFIC FUNCTIONS</p> <p>1. Health Select Commission</p> <p>(1) The Health Select Commission is tasked with carrying out in-depth overview and scrutiny as directed by the OSMB, including –</p> <ul style="list-style-type: none"> (a) performing the role of the Council's designated scrutiny body for any issue relating to health and the public health agenda including those functions contained within the Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny) Regulations 2013; (b) scrutinising the health services commissioned for the people of Rotherham (under the powers of health scrutiny as outlined in the Health and Social Care Act 2001); (c) scrutinising partnerships and commissioning arrangements in relation to health and well-being and their governance arrangements and the integration of health and social care services and budgets (d) scrutinising measures for achieving health improvements and the promotion of wellbeing for Rotherham's adults and children; (e) scrutinising measures designed to address health inequalities; (f) scrutinising public health arrangements; (g) scrutinising food standards and environmental health ; and (h) scrutinising issues referred to the select commission by the Healthwatch Rotherham (or any successor body). (i) Those elements of this scrutiny function relating to NHS England's new review of Congenital Heart Disease services are delegated to the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) <p>(2) The Health Select Commission will also act as a consultee in respect of those matters of "substantial variation" on which NHS bodies must consult with the Council in relation to its health scrutiny function.</p>
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		<p>(3) The Health Select Commission will lead on the overview and scrutiny of any regional and specialist health service health matters affecting residents of two or more local authorities within Yorkshire and the Humber, and will conduct such overview and scrutiny reviews in accordance with the Protocol for the Yorkshire and the Humber Council's Joint Health Scrutiny Select Commission.</p> <p>2. Improving Lives Select Commission</p> <p>(1) The Improving Lives Select Commission is tasked with carrying out in-depth overview and scrutiny reviews as directed by the OSMB, including –</p> <ul style="list-style-type: none"> (a) scrutinising the Every Child Matters agenda (note Health Select Commission responsibilities); (b) scrutinising the "Think Family" and early intervention/ prevention agendas; (c) scrutinising other cross-cutting services provided specifically for children and young people; (d) scrutinising the implementation of Rotherham's plans to tackle Child Sexual Exploitation <p>3. Improving Places Select Commission</p> <p>(1) The Improving Places Select Commission is tasked with carrying out in-depth overview and scrutiny reviews as directed by the OSMB, including –</p> <ul style="list-style-type: none"> (a) scrutinising community cohesion and social inclusion and the Council's specific initiatives to promote them; (b) scrutinising tourism, culture and leisure services and strategies; (c) scrutinising borough wide housing and neighbourhood strategies; (d) scrutinising economic development and regeneration strategies; (e) scrutinising the environment and sustainable development; and (f) scrutinising devolved neighbourhood working.
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Committee Name and Date of Committee Meeting

Council – 27 June 2018

Report Title

Pay Policy Statement – Adoption of Remuneration Package for the Strategic Director of Children and Young People's Services

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

No

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

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

Ward(s) Affected

Borough-Wide

Report Summary

The Council has 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 require the Council to approve the salary package for any post defined in the Pay Policy Statement as earning £100,000 or more.

This report recommends 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.

Recommendations

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 24 September 2018.

List of Appendices Included

None

Background Papers

Rotherham MBC Pay Policy Statement

Report to Staffing Committee 'Strategic Director Children and Young People's Services (DCS)' – 24 April 2018

Minutes of Staffing Committee – 24 April 2018

Localism Act 2011

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Staffing Committee – 24 April 2018

Council Approval Required

Yes

Exempt from the Press and Public

No

Pay Policy Statement – Adoption of Remuneration Package for the Strategic Director of Children and Young People’s Services

1. Background

- 1.1 The Council adopted new Officer Employment Procedure Rules in September 2017. These rules, which form part of the Constitution, build upon the provisions of the Localism Act 2011 concerning the publication of a Pay Policy Statement and making public the salaries for the Council’s Senior Leadership Team and Assistant Director positions. The Pay Policy Statement was agreed by the Council on 24 January 2018.
- 1.2 Following the departure of the previous post-holder, the Staffing Committee considered a report at its meeting on 24 April 2018 which recommended that the salary for the position of Strategic Director of Children and Young People’s Services be maintained up to £147,915, in accordance with the agreed Pay Policy Statement.

2. Key Issues

- 2.1 The Council has recently concluded the recruitment process for the vacant post of Strategic Director of Children and Young People’s Services, with Members of the Appointments Panel instructing the Proper Officer to appoint Mr. Jon Stonehouse to the post.
- 2.2 Further to the decision of the Appointments Panel, Mr. Stonehouse has agreed a commencement date in post of 24 September 2018.

3. Options considered and recommended proposal

- 3.1 The Council’s Officer Employment Procedure Rules require the Council to approve any salary package, as defined in the Council’s Pay Policy Statement, of £100,000 per annum or more.
- 3.2 Given the imperative to appoint a suitably skilled and experienced professional to deliver the Council’s key objectives in this area and levels of salary at comparable local authorities, the Staffing Committee considered it necessary to retain the current salary level for the post. The Staffing Committee recommended that Council approve the remuneration package for the Strategic Director of Children and Young People’s Services with a salary of up to £147,915. Following the offer by the Appointment Panel, a remuneration package of £145,000 has been agreed with Mr. Stonehouse.

4. Consultation on proposal

- 4.1 The Staffing Committee and Chief Executive were consulted in respect of the proposed remuneration package for the post of Strategic Director of Children and Young People’s Services.

5. Timetable and Accountability for Implementing this Decision

- 5.1 In the event that Council approves the recommendation from the Staffing Committee, the remuneration package for the new Strategic Director of Children and Young People's Services would be effective from the date of commencement in post.
- 5.2 The Assistant Chief Executive will be accountable for the implementation of the Council's decision.

6. Financial and Procurement Advice and Implications

- 6.1 The 2018-19 budget has provision for the remuneration package for the post of Strategic Director of Children and Young People's Services. There are no further financial or procurement implications associated with this report.

7. Legal Advice and Implications

- 7.1 The Localism Act 2011 requires the Council to publish annually a Pay Policy Statement. The Officer Employment Procedure Rules go beyond this requirement in requiring the submission of this report to give effect to the remuneration package for any post offering a salary in excess of £100,000.
- 7.2 Every local authority with responsibility for children's social care is required to appoint to the statutory role of Director of Children's Services. The recommendation before the Council and the appointment will ensure that the authority enables the appropriate post holder to discharge their responsibilities under section 18 of the Children Act 2004.

8. Human Resources Advice and Implications

- 8.1 The Human Resources implications are covered in the main body of this report. An appropriately rewarded workforce motivates employees and meets standards of fairness and equality required by employment legislation.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The appointment of a suitably qualified and experienced candidate supports the Council Plan priority of every child making the best start in life.

10. Equalities and Human Rights Advice and Implications

- 10.1 In making any decision the Council is required to have due regard to its equalities duties and in particular with respect to the Equality Act 2010, section 149, part 11 of the public sector duty:
 - a) eliminate discrimination, harassment, victimisation and eliminate any other conduct that is prohibited by or under the Act,
 - b) advance equality of opportunity between persons who are a protected characteristics and persons who do not share it and to
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 10.2 The recommendation before the Council will not have any adverse impact on anyone with one or more protected characteristics, namely age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

11. Implications for Partners

- 11.1 There are no implications for partners arising from the recommendation of the Staffing Committee.

12. Risks and Mitigation

- 12.1 There are no risks arising from this report or the recommendation of the Staffing Committee.

13. Accountable Officer(s)

Shokat Lal, Assistant Chief Executive

Council Report

Council – 25 July 2018

Title

Community Governance Review - Orgreave Parish Council – Implementation of Final Recommendations

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

Not applicable

Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Services

Report Authors

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Ward(s) Affected

Brinsworth & Catcliffe
Rother Vale

Executive Summary

At its meeting on 27th June 2018 the Council received a report on the implementation of the Community Governance Review. The report sought the approval of Council for the making of the Reorganisation of Community Governance Order required to bring the Final Recommendations into effect. Council resolved to:

Defer consideration of the implementation of the Community Governance Review until this meeting; and

To instruct the Assistant Director for Legal Services to consult the Waverley Residents Association on the budget requirement for the proposed Waverley Community Council and to provide a further report to this meeting

The purpose of this report is to brief members on the consultation with the Waverley Residents' Association and to seek approval for the making of the Reorganisation of Community Governance Order.

Recommendations

1. That Council approve the making of the draft Reorganisation of Community Governance Order including the associated map, which form Appendices 1 and 2 to this report and that the budget requirement for the proposed Waverley Community Council, which forms part of the Order shall be £36,025.
2. That Council do not agree to the waiver of the re-charge of the establishment and consultation costs which has been requested by the Waverley Residents' Association.

Appendices

- Appendix 1 Draft Reorganisation of Community Governance Order
- Appendix 2 Draft Map
- Appendix 3 Report to the Council Meeting on 27 June 2018
- Appendix 4 Calculation of the budget requirement for the proposed parish of Waverley
- Appendix 5 Representations from the Waverley Residents' Association on the budget requirement for the proposed Waverley Community Council.
- Appendix 5A Table provided by Waverley Residents' Association
- Appendix 6 Letter of objection from Catcliffe Parish Council
- Appendix 7 Original consultation response from Catcliffe Parish Council [January 2018]
- Appendix 8 Original consultation response from Orgreave Parish Council [April 2018]

Background Papers

- Report to the meeting of Council on 3rd June, 2015 - "Community Governance Review Orgreave Parish"
- Report to the meeting of Council on 13th December, 2017 – "Community Governance Review - Orgreave Parish Council"
- Report to the Annual Meeting of Council on 23rd May 2018 - Community Governance Review - Orgreave Parish Council – Final Recommendations
- Guidance on Community Governance Reviews [Department for Communities and Local Government and the Local Government Boundary Commission for England, March 2010]
- Model Community Governance Reorganisation Order
- A Guidance Note and Checklist for Newly Established Local (Parish and Town) Councils [National Association of Local Councils]

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Community Governance Review - Orgreave Parish Council Review of the Constitution

1. Recommendations

- 1.1 That Council approve the making of the draft Reorganisation of Community Governance Order including the associated map, which form Appendices 1 and 2 to this report and that the budget requirement for the proposed Waverley Community Council, which forms part of the Order shall be £36,025.
- 1.2 That Council do not agree to the waiver of the re-charge of the establishment and consultation costs which has been requested by the Waverley Residents' Association.

2. Background

- 1.1 The background to this matter is set out in the report to the meeting of Council on 27 June 2018 which forms Appendix 3 to this report. Shortly before that meeting, and after the publication of the Agenda, Catcliffe Parish Council submitted a letter of objection to the Final Recommendations made by the Council at its Annual Meeting on 23 May 2018 and the letter was circulated to all members of Council. The letter forms Appendix 6 to this report.
- 1.2 At its meeting on 27 June 2018 Council resolved to defer consideration of the implementation of the Community Governance Review until this meeting; and instructed the Assistant Director for Legal Services to consult the Waverley Residents Association on the budget requirement for the proposed Waverley Community Council, which forms part of the Reorganisation of Community Governance Order which would implement the Final Recommendations, and to provide a further report to this meeting. The consultation response from the Waverley Residents' Association forms Appendices 5 and 5A to this report.

3. The Draft Reorganisation of Community Governance Order

- 3.1 The Draft Order at Appendix 1 is a draft of the Order required to implement the Final Recommendations made by Council at its Annual Meeting but amended to include a budget requirement of £36,025 for the proposed Waverley Community Council. As set out in more detail in sections 4 and 5 of this report this figure replaces the figure previously proposed by the Council's officers. The map associated with the Draft Order forms Appendix 2.
- 3.2 Local Town and Parish Councils normally set their own precepts to cover their annual expenditure. This is then collected on their behalf by the Council as part of the annual Council Tax bill. If the Draft Order is approved, Waverley Community Council will have no elected members until after the elections in May 2019 and will therefore be unable to set its own precept for the 2019/20 municipal year. The Draft Order therefore has to include a figure for the budget requirement for the new community council for 2019/20.

4 Key Issues

- 4.1 As above, the draft Reorganisation of Community Governance Order at Appendix 1 and the associated map at Appendix 2 would implement the Final Recommendations made by Council at its Annual Meeting subject to a decision on the budget requirement to be included in the Order. The effect of the recommendation in the report to the meeting of Council on 27 June 2018 was to put forward a budget requirement of £43,950 based upon the calculations which form Appendix 4 to this report.
- 4.2 The Waverley Residents' Association has suggested a lower figure for the budget requirement of £36,025. The previous recommendation was predicted to result in a Band D precept of £66.00 for 2019/20 and the Waverley Residents' Association figure is predicted to result in a Band D precept of £54.09. The current additional Band D liability for the parish of Catcliffe is £105.50, which is being paid by Waverley residents who live in the Waverley North polling district, and the current additional Band D liability for the parish of Orgreave is £38.76, which is being paid by Waverley residents who live in the Waverley South polling district. As set out in paragraph 7.2 below these precepts can only be predictions at this time.
- 4.3 The reasons for the lower budget requirement proposed by the Waverley Residents' Association are set out in detail in their representations at Appendices 5 and 5A. The representations relate in particular to the calculations for:

- The appropriate remuneration for an interim and then final community clerk.
- Insurance
- Establishment Costs
- Website creation
- Reserves

The Waverley Residents' Association proposal is 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. The establishment costs are the costs to the Council of making the necessary amendments to the Council's Council Tax systems to enable Council Tax to be collected in the proposed new parish of Waverley. In their response the Waverley Residents' Association also suggest that if the Council is not willing to forego those recharges then the budget requirement should be adjusted by reducing the provision for reserves. The original proposal from the Council's officers for the figure for reserves for the proposed community council's first year was £2,000, the proposal from the Waverley Residents' Association is for that to be increased to £9,000 and if that figure were then to be reduced by the amount of the recharges for consultation and establishment costs it would become £4,100.

- 4.4 The Waverley Residents' Association have had support from the Yorkshire Local Councils Association in preparing their proposals and on that basis it is 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. The Council does not have to recharge these costs but if they are not recharged to Waverley Council Tax payers they would effectively be borne by the whole Borough.
- 4.5 The Consultation costs relate to the consultation exercise carried out between January and April of this year and the Establishment Costs relate to the costs to the Council of making the necessary amendments to the Council's Council Tax systems to enable Council Tax to be collected in the proposed new parish of Waverley. The Council does not have to recharge these costs but if they are not recharged they would effectively fall upon the whole Borough rather than upon the residents of Waverley.
- 4.6 The letter of objection from Catcliffe Parish Council dated 22 June 2018 forms Appendix 6 to this report and asks the Council not to implement the Final Recommendations it made at its Annual Meeting on 23 May 2018 and to leave the boundary of the parish of Catcliffe unchanged. The specific issues raised by the Parish Council can be summarised as:
- The Parish Council feel very strongly that the Catcliffe boundary should remain unchanged; to protect the identity and community of the Parish
 - The Parish Council's consultation response [which forms Appendix 7 to this report and which was dated 17 January 2018] stated that Catcliffe Parish Council would prefer option 1 (No change to the Parishes) or option 2 (To reduce the Parish of Orgreave).
 - The Community Governance Review was initiated by Orgreave Parish Council and the consultation should not have included the Parish of Catcliffe and should have concentrated on the relationship between Orgreave and Waverley South polling district.
 - Throughout the consultation there was never any mention of the chance that Catcliffe could lose a large area of their Parish.
 - The residents of Catcliffe and Waverley have cohesion; both Parishes share schools, local bus services, health provision and places of worship. Although the plans for the Waverley development includes the provision of these services; it should be anticipated that the residents of Catcliffe and Waverley North could continue to share facilities to build a stronger community. Catcliffe Parish Council value the importance of building and supporting a strong community
- 4.7 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 13 December 2017. The options were:[
1. *No change to the existing arrangements.*
 2. *Reducing the existing parish of Orgreave to cover only the settlement of Orgreave, and to create a new parish to cover the southern part of the Waverley settlement. This is as proposed in the petition from residents.*

3. Creating a new parish for the whole of the Waverley settlement. The parish of Orgreave would then cover only the settlement of Orgreave and the parish of Catcliffe would cover only the settlement of Catcliffe.

4. Creating a new area without a parish council to cover the whole of the Waverley settlement. The parish of Orgreave would then cover only the settlement of Orgreave and the parish of Catcliffe would cover only the settlement of Catcliffe.

Catcliffe Parish Council's consultation response supported options 1 and 2, which would not have resulted in any change to the boundary of the parish of Catcliffe.

- 4.8 The reasons for the adoption of the modified Terms of Reference are set out in the report to the meeting of Council on 13 December 2017 but in relation to the choice of options to be consulted upon can be briefly summarised as follows. Since the Petition was considered by Council at its meeting on 3 June 2015 the Waverley settlement has grown significantly, and will continue to do so. A corresponding interest in the issue of whether the Waverley settlement as a whole should have a parish council of its own has developed. Implementation of the proposal set out in the Petition would leave the Waverley settlement split between the area of Catcliffe Parish Council and the area of the proposed new Parish Council for the Waverley South polling district. A decision to implement the proposals set out in the Petition would also have the effect of creating community governance arrangements for residents of the Waverley South polling district who have moved into the Waverley settlement since the previous consultation in 2015 and whose views have never been sought. The current boundary between the parishes of Catcliffe and Orgreave divides the settlement of Waverley without any reference to features on the ground and the effect is arbitrary, with some residents being in one parish and some in the other.
- 4.9 The consultation materials used clearly set out the four options and both Options 3 and 4 involve a reduction in the areas of the parishes of Catcliffe and Orgreave. For completeness, the consultation response from Orgreave Parish Council dated 12 April 2018 forms Appendix 8 to this report. In making the Final Recommendations at its meeting on 27 June 2018 Council was aware that those Recommendations were opposed by Catcliffe Parish Council and had sight of their consultation response and having regard to the consultation responses received, including the response from Orgreave Parish Council and the Waverley Residents Association, decided to proceed to make those recommendations.

5. Options considered and recommended proposal

- 5.1 The first matter for consideration is whether, in the light of the letter of objection from Catcliffe Parish Council, the Council wishes to proceed with the implementation of the Final Recommendations made at the Annual Meeting of Council on 23 May 2018. The second matter, if Council wishes to implement the final recommendations, is what budget requirement should be included in the Re-organisation of Community Governance Order.

Option 1

- 5.2 To not proceed with the implementation of the Final Recommendations. This would leave community governance as it is at present, with the parishes of Catcliffe and Orgreave continuing to exist on their current boundaries and with no separate parish for Waverley. This option is supported by Catcliffe Parish Council.

This is not the recommended option for the reasons set out at paragraphs 4.6 to 4.9 above and in particular because the Final Recommendations made by Council at its Annual Meeting reflected the views of local people as expressed in the statutory consultation.

Option 2

- 5.3 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 £43,950, the figure originally proposed by the Council's officers.

This is not the recommended option because the Waverley Residents' Association, with support from the Yorkshire Local Councils Association, have suggested a lower figure for the budget requirement.

Option 3

- 5.4 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. This option is the option preferred by the Waverley Residents' Association and would require the Council to forego the recharge of the costs of the consultation and the establishment costs. It would enable the budget requirement to include a significantly higher figure for reserves than that originally proposed by the Council's officers as set out at paragraph 4.3 above.

This is not the recommended option because it would require the Council to forego costs which have been or will be incurred.

Option 4

- 5.5 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 is the one put forward, with reluctance, by Waverley Residents' Association if the Council is not prepared to forego the recharges referred to for Option 3 above. It would result in the budget requirement including a lower figure for reserves than proposed by the Waverley Residents' Association but the reserves figure would still be higher than that originally proposed by the Council's officers, as set out at paragraph 4.3 above.

This is the recommended option because provides for a lower budget requirement than originally proposed and the Waverley Residents' Association support a lower budget requirement, and 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 will be incurred. This is not the first choice option of the Waverley Residents' Association.

6 Timetable and Accountability for Implementing this Decision

- 6.1 If approved, the Reorganisation of Community Governance Order will be executed on behalf of the Council. The law requires the decision to make the Order to be published together with the reasons for making the Order and the Council to take such steps as it considers sufficient to secure that persons who may be interested in the review are informed of that decision and those reasons.
- 6.2 A copy of the Order and its map must be placed on deposit at the Council's principal office together with a map which shows the effects of the order in greater detail than the map included in the order and must be made available for inspection at all reasonable times. The Council must publicise that the documents are available for public inspection.
- 6.3 The Council must also inform the following of the making of the Order:
- the Secretary of State;
 - the Local Government Boundary Commission for England;
 - the Office of National Statistics; and
 - the Director General of the Ordnance Survey;

7 Financial and Procurement Implications

- 7.1 Section 4 of this report and Appendices 4, 5 and 5A set out relevant information in relation to the calculation of the budget requirement for the proposed new parish of Waverley by the Council's officers and the counter-proposals from the Waverley Residents' Association.

- 7.2 The Council Tax Base and associated charge for a Band D property for 2019/20 set out in Appendix 5A are predictions based on current information. However the actual Council Tax Base and charge will differ from the predictions because the number of properties, the applicable Council Tax discounts and the effect of the Local Council Tax Support Scheme are not yet known for 2019/20.
- 7.4 The proposed budget requirement for the proposed new parish set out at Appendix 4 was intended as a guide and was based on a review of the budgets of a sample of other parishes within Rotherham, guidance from the National Association of Local Councils (NALC) and the Yorkshire Local Councils Association (YLCA). The proposed budget was intended to allow the new parish to establish itself and to fund its basic functions. The Waverley Residents' Association have taken their own advice from YLCA and as set out above at paragraph 4.4 argue that the budget requirement should be reduced from £43,950 to £36,025. As set out in paragraph 4.3 the proposed reduction is based upon reductions in some of the proposed costs, an increase in reserves and the Council waiving the recharge of some of the costs of establishing the proposed new parish. As set out in paragraph 4.4 above, the Waverley Residents' Association have had support from the Yorkshire Local Councils Association in preparing their proposals and on that basis it is 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.
- 7.5 The establishment costs are the one-off costs of creating the Parish Council Tax base and transferring Council Tax accounts (including discounts, exemptions and the Council Tax Support Scheme) for the new parish. If the establishment costs are not borne by the residents of the proposed new parish they would effectively have to be borne by the residents of the Borough as a whole.

8 Legal Implications

- 8.1 The legal implications arising from this report are set out in the body of the report.
- 8.2 Where an area is being transferred between an existing parish to a new parish, as is proposed in the Final Recommendations, the Reorganisation of Community Governance Order should deal with the distribution of property, rights and liabilities of parish councils affected by the Order. However in this case Catcliffe and Orgreave Parish Councils have confirmed that they do not have property, rights or liabilities in the Waverley North and Waverley South polling districts respectively.

9. Human Resources Implications

- 9.1 There are no human resources implications arising from this report.

10. Implications for Children and Young People

- 10.1 There are no direct implications for children and young people arising from this report.

11. Equalities and Human Rights Implications

- 11.1 There are no equalities and human rights implications arising from this report.

12. Implications for Partners and Other Directorates

- 12.1 There are implications for existing Parish Councils as set out in the body of this report.

13. Risks and Mitigation

- 13.1 The budget requirement for the proposed new parish must be set at an appropriate figure otherwise either the new community council will not have sufficient resources to be effective or local residents in the new parish will be paying more in Council Tax than is required to fund the activities of the community council. This risk is mitigated by the proposals from the Waverley Residents' Association having been worked up with support from the Yorkshire Local Councils Association.
- 13.2 If the draft Order is made there is the risk of legal challenge from anyone aggrieved by the outcome of the community governance review but that risk is mitigated by the thorough consultation exercise which has been undertaken.
- 13.3 There is a further risk that, notwithstanding the support from local people for a new parish for Waverley, that as and when elections are held there may be insufficient people willing to stand for election to the new parish council. The Council's officers will be engaging with relevant local organisations including the parish councils to support the community of Waverley to prepare for the establishment of the new parish council.

14. Accountable Officer(s)

Dermot Pearson, Assistant Director of Legal Services

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007**The Rotherham (Reorganisation of Community Governance) Order (2018)**

Made - - - [day] [month] 2018

Coming into force in accordance with article 1(2)

Rotherham Borough Council (“the council”), in accordance with section 83 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”), has undertaken a community governance review and made recommendations dated May 2018.

The council has decided to give effect to those recommendations and, in accordance with section 93 of the 2007 Act, has consulted with the local government electors and other interested persons and has had regard to the need to secure that community governance reflects the identities and interests of the community and is effective and convenient.

The council, in accordance with section 100 of the 2007 Act, has had regard to guidance issued under that section.

The Local Government Boundary Commission for England, by a letter dated 7 June 2018, gave consent to the making of this Order in so far as it relates to “protected electoral arrangements” for the purposes of the 2007 Act.

The council makes the following Order in exercise of the powers conferred by sections 86, 98(6) and 240(10) of the 2007 Act.

Citation and commencement

1.—(1) This Order may be cited as the Rotherham (Reorganisation of Community Governance) Order 2018.

(2) [Subject to paragraphs (3) and (4) below, this Order comes into force on 1st April 2019.

(3) Articles 8, 9 and 10 shall come into force on the ordinary day of election of councillors in 2019.

(4) For the purposes of:

(a) this article,

(b) article 5; and

(c) proceedings preliminary or relating to the election of parish councillors for the parishes of Catcliffe, Orgreave and Waverley, to be held on the ordinary day of election of councillors in 2019, this Order shall come into force on 15th October 2018.

Interpretation

2. In this Order—

“borough” means the borough of Rotherham;

“existing” means existing on the date this Order is made;

“map” means the map marked “Map referred to in the Rotherham (Reorganisation of Community Governance) Order 2018” and deposited in accordance with section 96(4) of the 2007 Act: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

“new parish” means the parish constituted by article 4;

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8(c) of the Representation of the People Act 1983.

Effect of Order

3. This Order has effect subject to any agreement under section 99 (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

Constitution of a new parish

4.—(1) A new parish, comprising the area outlined with a blue line on the map, shall be constituted within the borough.

(2) The name of the new parish shall be Waverley.

(3) The new parish shall have the alternative style of community.

(4) In consequence of paragraph (1) of this article, the area of the new parish shall cease to be part of the existing parishes of Catcliffe and Orgreave.

Calculation of budget requirement

5. For the purposes of regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 there is specified in relation to the parish of Waverley the sum of £36,025.

Parish council for the parish of Waverley

6.—(1) There shall be a parish council for the parish of Waverley.

(2) The name of that council shall be “The Community Council of Waverley”.

Parish elections

7.—(1) The election of all parish councillors for the parishes of Catcliffe, Orgreave and Waverley shall be held on the ordinary day of election of councillors in 2019.

(2) The term of office of every parish councillor elected on the ordinary day of election of councillors in 2019 for the parishes of Catcliffe, Orgreave and Waverley shall be five years.

(3) Where any provision of an Order made before the making of this Order requires an election of parish councillors for a parish mentioned in paragraphs (1) and (2) above to be held on a date other than that for which paragraph (1) provides, it shall cease to have effect to that extent.

Number of parish councillors for the parish of Catcliffe

8. The number of councillors to be elected for the parish of Catcliffe shall be nine and the parish shall not be divided into wards.

Number of parish councillors for the parish of Orgreave

9. The number of councillors to be elected for the parish of Orgreave shall be seven and the parish shall not be divided into wards.

Number of parish councillors for the parish of Waverley

10. The number of councillors to be elected for the parish of Waverley shall be seven and the parish shall not be divided into wards.

Annual meeting of parish council

11. The annual meeting of the new parish council in 2019 shall be convened by the Chief Executive of the Council of the Borough of Rotherham. The meeting shall take place no later than 14 days after the day on which the councillors elected to the new parish council take office.

Alteration of parish areas

12.—(1) The area coloured and designated by the letter “A” on the map shall cease to be part of the parish of Catcliffe and shall become part of the parish of Waverley.

(2) The area coloured and designated by the letter “B” on the map shall cease to be part of the parish of Orgreave and shall become part of the parish of Waverley.

(3) Each area coloured and designated by a letter on the map and specified in column (1) of the Schedule shall cease to be part of the parish specified in relation to that area in column (2) of the Schedule and shall become part of the parish specified in relation to that area in column (3) the Schedule.

Electoral Register

13. The registration officer for the borough shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

Transitional provision

14. Until the councillors elected to the council of the new parish of Waverley at the elections to be held on the ordinary day of election of councillors in 2019 come into office, the new parish shall be represented by those persons who immediately before 1st April 2019 are the elected councillors for the borough wards of Brinsworth & Catcliffe and Rother Vale.

Order date

15. 1st April 2019 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

Sealed with the seal of Rotherham Borough Council on the [] day of [] [2018]

[Signed]

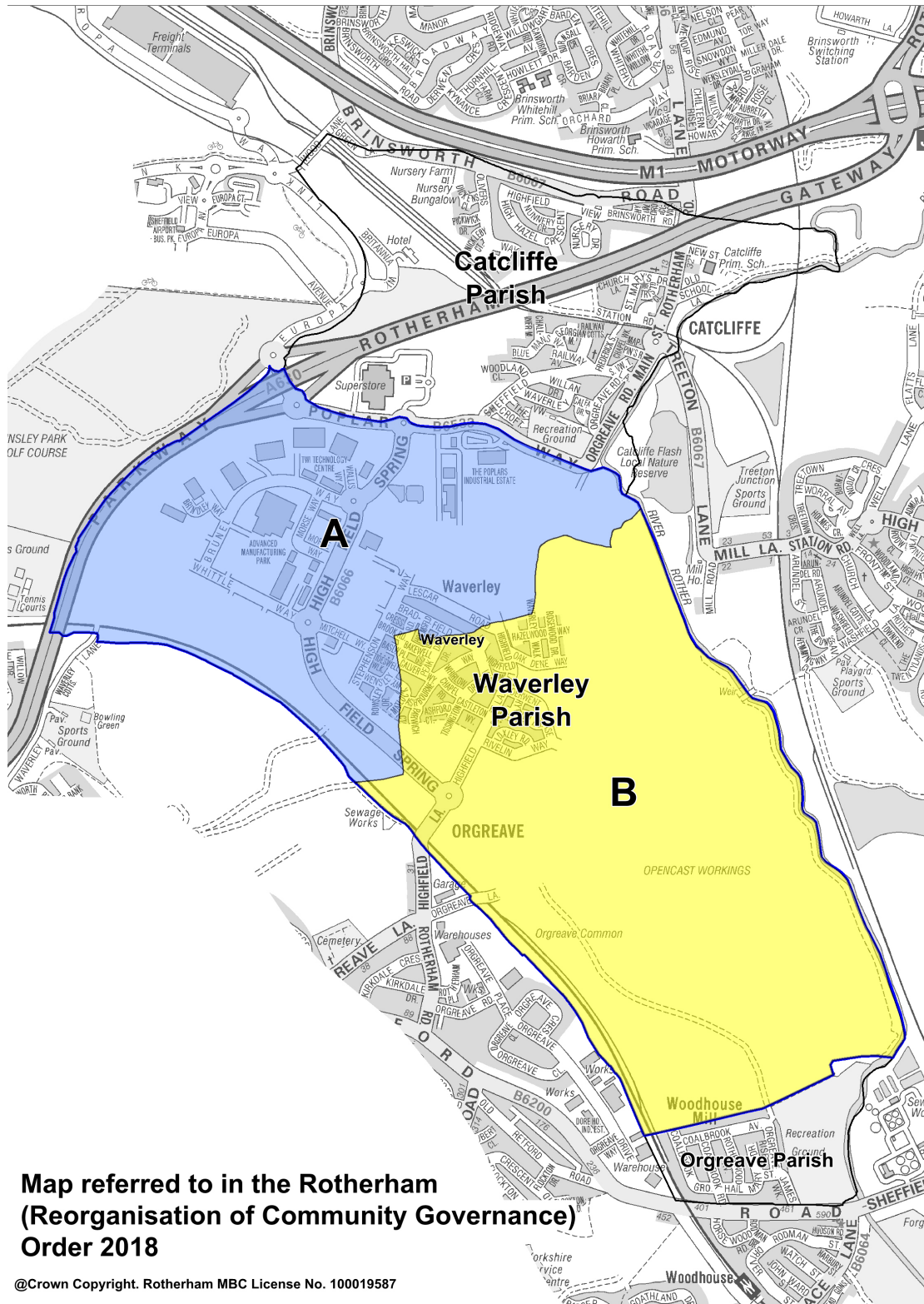
[Signatory]

SCHEDULE

Article 12

ALTERATION OF AREAS OF PARISHES

Area	Parish from which omitted	Parish to which added
"A"	Catcliffe	Waverley
"B"	Orgreave	Waverley



**Map referred to in the Rotherham
(Reorganisation of Community Governance)
Order 2018**

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Council Report

Council – 27th June 2018

Title

Community Governance Review - Orgreave Parish Council – Implementation of Final Recommendations

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

Not applicable

Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Services

Report Authors

Dermot Pearson, Assistant Director of Legal Services
01709 255768 or dermot.pearson@rotherham.gov.uk

Ward(s) Affected

Rother Vale, Brinsworth & Catcliffe

Executive Summary

At its Annual Meeting on 23 May 2018 the Council received a report on the outcome of the public consultation on the Community Governance Review for Orgreave and made Final Recommendations, including the establishment of a new parish of Waverley. The consent of the Local Boundary Commission for England was required before those recommendations could be implemented and has now been granted. The recommendations have been publicised in the local press and on the Council's website. The purpose of this report is to confirm the decision of the Commission and to seek the approval of Council for the making of the Reorganisation of Community Governance Order required to bring the Final Recommendations into effect.

Recommendations

That Council approve the making of the draft Reorganisation of Community Governance Order and associated map which form Appendices 1 and 2 to this report.

Appendices

- Appendix 1 Draft Reorganisation of Community Governance Order
- Appendix 2 Draft Map
- Appendix 3 Letter from the Local Government Boundary Commission for England dated 7 June 2018
- Appendix 4 Calculation of the budget requirement for the proposed parish of Waverley
- Appendix 5 Chart showing Band D Council Tax for parish and town councils in Rotherham for 2018/19

Background Papers

- Report to the meeting of Council on 3rd June, 2015 - "Community Governance Review Orgreave Parish"
- Report to the meeting of Council on 13th December, 2017 – "Community Governance Review - Orgreave Parish Council"
- Report to the Annual Meeting of Council on 23rd May 2018 - Community Governance Review - Orgreave Parish Council – Final Recommendations
- Guidance on Community Governance Reviews [Department for Communities and Local Government and the Local Government Boundary Commission for England, March 2010]
- Model Community Governance Reorganisation Order
- A Guidance Note and Checklist for Newly Established Local (Parish and Town) Councils [National Association of Local Councils]

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Community Governance Review - Orgreave Parish Council Review of the Constitution

1. Recommendations

- 1.1 That Council approve the making of the draft Reorganisation of Community Governance Order including the associated map which form Appendices 1 and 2 to this report.

2. Background

- 1.1 At its Annual Meeting on 23 May 2018 Council received a report setting out the results of the consultation exercise, which finished on 16 April 2018, and made recommendations as to the outcome of the Community Governance Review. Council made Final Recommendations, including the creation of a new parish of Waverley.
- 1.2 The Local Government Boundary Commission for England has now given its consent to the making of a Reorganisation of Community Governance Order to implement the Final Recommendations. The Commission's decision letter forms Appendix 3 to this report.
- 1.3 The Final Recommendations have now been publicised, as required by law, by an advertisement in the local press and a notice on the consultation part of the Council's website. The members of the public who asked to be kept informed of progress on the community governance review have been sent a link to the update and documents on the Council's website.

3. The Draft Reorganisation of Community Governance Order

- 3.1 The Draft Order at Appendix 1 is a draft of the Order required to implement the Final Recommendations made by Council at its Annual Meeting. The Order sets out the new arrangements for community governance, including the electoral arrangements and the figure for the budget requirement for the new parish of Waverley. The map associated with the Draft Order forms Appendix 2.
- 3.2 Local Town and Parish Councils normally set their own precepts to cover their annual expenditure. This is then collected on their behalf by the Council as part of the annual Council Tax bill. If the Draft Order is approved, Waverley Community Council will have no elected members until after the elections in May 2019 and will therefore be unable to set its own precept for the 2019/20 municipal year. The Draft Order therefore includes a figure for the budget requirement for the new community council for 2019/20.

4 Key Issues

- 4.1 As above, the draft Reorganisation of Community Governance Order at Appendix 1 and the associated map at Appendix 2 would implement the Final Recommendations made by Council at its Annual Meeting.
- 4.2 The Draft Order must include a figure for the budget requirement for the new community council for 2019/20. At Appendix 4 is a schedule showing the

calculations for the budget requirement for the proposed parish of Waverley which draws upon “*A Guidance Note and Checklist for Newly Established Local (Parish and Town) Councils*” issued by the National Association of Local Councils. The schedule identifies expenditure relating to the establishment and administration of the new community council. The budget figure proposed for the parish of Waverley is £43,950 for 2019/20 which would be equivalent to a Band D Council Tax liability of £66.00. The current additional Band D liability for the parish of Catcliffe is £105.50, which is being paid by Waverley residents who live in the Waverley North polling district, and the current additional Band D liability for the parish of Orgreave is £38.76, which is being paid by Waverley residents who live in the Waverley South polling district.

- 4.3 The chart at Appendix 5 shows the current additional Band D liabilities in 2018/19 for all the town and parish councils in the Borough with the proposed figure for Waverley included for comparison. Waverley would be different from other parishes in that significant numbers of dwellings will continue to be built each year until the current planning consents have been implemented with the consequent increase in the numbers of residents liable to pay Council Tax. The residents of Waverley are members of a not-for-profit management company which is responsible for the public areas of the Waverley site and its role includes inspecting, maintaining, cleaning and landscaping those areas. The management company collects an annual service charge [which cannot exceed £175 pa until January 2022] from each household.

5. Options considered and recommended proposal

Option 1

- 5.1 To approve the making of the draft Reorganisation of Community Governance Order required to implement the Final Recommendations. This is the recommended option because the Final Recommendations were informed by the consultation responses received from local people and organisations.

Option 2

- 5.2 To not approve the making of the draft Reorganisation of Community Governance Order. This would leave the arrangements for community governance for Catcliffe, Orgreave and Waverley as they are at present, notwithstanding the views of local people and organisations as expressed in the consultation. This option is not recommended.

6 Timetable and Accountability for Implementing this Decision

- 6.1 If approved the Reorganisation of Community Governance Order will be executed on behalf of the Council. The law requires the decision to make the Order to be published together with the reasons for making the Order and the Council to take such steps as it considers sufficient to secure that persons who may be interested in the review are informed of that decision and those reasons.

- 6.2 A copy of the Order and its map must be placed on deposit at the Council's principal office together with a map which shows the effects of the order in greater detail than the map included in the order and must be made available for inspection at all reasonable times. The Council must publicise that the documents are available for public inspection.
- 6.3 The Council must also inform the following of the making of the Order:
- the Secretary of State;
 - the Local Government Boundary Commission for England;
 - the Office of National Statistics; and
 - the Director General of the Ordnance Survey;

7 Financial and Procurement Implications

- 7.1 Section 4 of this report and Appendices 4 and 5 set out relevant information in relation to the calculation of the budget requirement for the proposed new parish of Waverley.
- 7.2 The costs shown at Appendix 4 are the estimated costs of operating the parish for 2019/20. Primarily they consist of salary costs for a clerk and associated running costs, following guidance issued by the National Association of Local Councils. It should be noted that several day-to-day running costs of being in business are unknown and can only be estimated, including office accommodation. These costs have been estimated by using figures published by similar parish councils in the borough.

The Band D Council Tax liability of £66.00 has been calculated based on a projected Band D taxbase for Waverley.

- 7.3 The cost of parish council elections are normally recharged to the parishes concerned.

8 Legal Implications

- 8.1 The legal implications arising from this report are set out in the body of the report.
- 8.2 Where an area is being transferred between an existing parish to a new parish, as is proposed in the Final Recommendations, the Reorganisation of Community Governance Order should deal with the distribution of property, rights and liabilities of parish councils affected by the Order. However in this case Catcliffe and Orgreave Parish Councils have confirmed that they do not have property, rights or liabilities in the Waverley North and Waverley South polling districts respectively.

9. Human Resources Implications

- 9.1 There are no human resources implications arising from this report.

10. Implications for Children and Young People

- 10.1 There are no direct implications for children and young people arising from this report.

11. Equalities and Human Rights Implications

- 11.1 There are no equalities and human rights implications arising from this report.

12. Implications for Partners and Other Directorates

- 12.1 There are implications for existing Parish Councils as set out in the body of this report.

13. Risks and Mitigation

- 13.1 The budget requirement for the proposed new parish must be set at an appropriate figure otherwise either the new community council will not have sufficient resources to be effective or local residents in the new parish will be paying more in Council Tax than is required to fund the activities of the community council. This risk is mitigated by the calculation being informed by the National Association of Local Council's guidance and by taking into account the levels of Council Tax in other parishes within the Borough.
- 13.2 If the draft Order is made there is the risk of legal challenge from anyone aggrieved by the outcome of the community governance review but that risk is mitigated by the thorough consultation exercise which has been undertaken.
- 13.3 There is a further risk that, notwithstanding the support from local people for a new parish for Waverley, that as and when elections are held there may be insufficient people willing to stand for election to the new parish council. The Council's officers will be engaging with relevant local organisations including the parish councils to support the community of Waverley to prepare for the establishment of the new parish council.

14. Accountable Officer(s)

Dermot Pearson, Assistant Director of Legal Services

Calculation of Budget Requirement**Administration costs for the local council:**

Clerk salary and oncosts	16,000.00
Clerk expenses	100.00
Members' expenses/allowances	100.00
Accommodation	1,000.00
Training	250.00
Subscriptions	800.00
Bank Charges	100.00
Printing/stationery etc	500.00
Telecoms and broadband	200.00
IT Support and Equipment	1,000.00
Audit	600.00
Insurance	2,000.00
Legal fees	1,000.00
Advertising and Communications	1,000.00
Petty Cash	100.00
	24,750.00

Establishment costs

Consultation	1,000.00
Elections	2,500.00
Recharged RMBC costs	3,900.00
Interim Accommodation)
Furniture) 3,000.00
Equipment)
Website Creation	2,000.00
Telecoms and Broadband	400.00
Recruitment	500.00
Interim Clerk	3,900.00
	<hr/> 17,200.00

Reserves	2,000.00
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TOTAL EXPENDITURE

43,950

From: Waverley Residents Association [mailto:waverleyra@gmail.com]

Sent: 08 July 2018 20:17

To: Pearson, Dermot

Cc: Buckley, Alan-Cllr; Carter, Adam; Brookes, Amy-Cllr; Allcock, Leon-Cllr; Simpson, Nigel-Cllr; Walsh, Bob-Cllr

Subject: Community Governace Review

HI Dermot,

Having reviewed the proposed budget for the 1st year of Waverley Community Council and also having a conversation with Yorkshire Association of Local Councils (YALC) there are a few questions and suggestions for the 1st year precept. I've attached a summary in excel format showing the difference between the proposals.

1) Clerk wages - From speaking to YALC they have suggested a contract for between 6 - 8 hours initially for the clerk and a pay scale either LC1 Substantive or LC2 below substantive this is based on the type of work the clerk will be likely to undertake during the 1st year. Based on the highest salary bracket this would equate to c £14 per hour salary giving an annual salary of c£6k. With additional hours to support the setup of the council and to build a contingency fund for employment a revised figure of £10k would seem more sensible

2) Insurance - YALC have advised a figure of c£500 due to no assets being transferred or in existence - a revised figure of £1k will allow for any future assets

3) Establishment Costs - Normally the costs associated with the formation of a new community council such as consultation and election costs are covered by the principal authority. Taking into account previous parish councils establishment such as Hellaby I believe that were charged for election costs so I can understand the inclusion of the £2,500 for that aspect. The consultation fees and Recharged RMBC charges I do not agree with and in relation to the Recharged RMBC Charges i'm not even sure what this covers. Therefore I feel that both the consultation and Recharged RMBC charges should not be passed onto the new community council

4) Website Creation - YALC have suggested a figure of £500 to setup a website, to allow for longer term costs to also be taken into account. i.e buying domain names for a longer period at outset a figure of £1k should more than cover these costs.

5) Interim Clerk - with additional contingency be built into the clerks salary (point 1 above) a reduction in interim clerk feed to £2k seems more reasonable aligned to the pay scales and hours of work

6) Reserves - YALC have advised that between 3- 12 months of general expenses reserves should be held. Basing this on 6 months then a reserve figure of c£9k is needed. This would allow the community council to undertake additional tasks/work as the community sees fit during its 1st year allowing the council to meet the needs of residents.

Based on the above this would alter the full year figure to £36,025 (£7,925 less than initially proposed), and based on the tax base provided a charge of £54.09 per Band D equivalent.

This revised figure means an increase of 42% for Orgreave residents and a reduction of 48% for Catcliffe residents. This feels to achieve a mid point in percentage terms from the existing precept charges.

If the recharges are to be included then I would suggest offsetting the reserves by that amount giving just 3 months of general expenditure in reserves but this would also limit the actions the community council could undertake during its 1st year.

The view from residents is that no increase will be popular but we need to also ensure the community council is able to achieve its goals, and so the increases should be kept to minimum where possible, and be reflective of the work of the council.

I'm happy to meet with ward councillors or members of RMBC should you wish to discuss this matter ahead of full council later this month.

Thanks

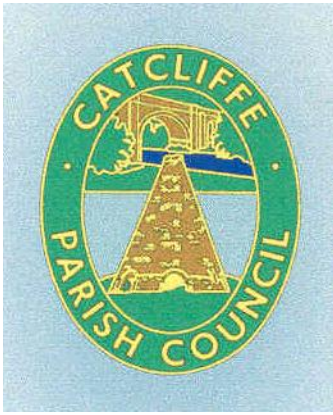
Jamie Baggaley

SUMMARY PROVIDED BY WAVERLEY RESIDENTS' ASSOCIATION

		RMBC proposal	WRA Proposal	Variance	Reason
Clerk		16000	10000	-6000	Hours budgeted 12 @ £14p/h which is above the recommended threshold. It is recommended by YALC for between 6.5 - 8 hours per week is the starting contract but additional hours have been added to cover setting up the council should they be required. Max LC2 29 points £26,470 min LC1 23 points £23,111. Allowances also made for ENIC and pension payments Basic Salary £6k
Expenses		100	100	0	
Members Expenses/Allowances		100	100	0	
Accommodation		1000	1000	0	Room hire for meetings
Legal fees		1000	1000	0	
Training		250	250	0	
Subscription		800	800	0	
Bank Fees		100	100	0	
Audit		600	600	0	
Insurance		2000	1000	-1000	YALC have advised c£500 due to no assets being involved
Advertising		1000	1000	0	
Telecoms/Broadband		200	200	0	
Equipment		1000	1000	0	
Petty Cash		100	100	0	
Printing/Stationary		500	500	0	
		24750	17750	-7000	reduction in Clerk and Insurance changes

Establishment costs					
Consultation		1000	0	-1000	? Question over consultation charge as normally for new parishes charges are picked up by the local authority and not recharged - Maltby/Hellaby queries
Elections		2500	2500	0	Allow budget for future year election - also Hellaby were charged for election charges during their 1st year. So a precedent has been set with this prior charge.
Recharged RMBC charges		3900	0	-3900	? Question over consultation charge as normally for new parishes charges are picked up by the local authority and not recharged - Maltby/Hellaby queries. What does this cover??
Website Creation		2000	1000	-1000	YALC suggest no more than £500 for website set up
Room Rents/Equipment		3000	3000	0	Initial equipment purchases
Recruitment		500	500	0	
Interim Clerk		3900	2000	-1900	Reduced due to additional funds being allocated in the clerks salary above should they be needed
Telephone/Broadband		400	400	0	
		17200	9400	-7800	As above
Reserves		2000	8875	6875	Reserves increased to cover future costs - this would cover 6 months of general expenditure its suggested to have between 3-12 months in reserves. This would also allow the council to undertake any additional activities during the year as the council becomes more established
Total		43950	36025	-7925	Reduction driven by Clerk and recharge costs
Tax Base		666.04	666.04		
Per Band D equivalent		65.99	54.09	-11.9	

Orgreave PC		74%	42%			
Catcliffe PC		-37%	-48%			
Annual Orgreave Change		27.98	16.08			
Annual Catcliffe Change		-38.11	-50.01			
Weekly Orgreave Change		0.54	0.31			
Weekly Catcliffe Change		-0.73	-0.96			



CATCLIFFE PARISH COUNCIL

Catcliffe Memorial Hall
Old School Lane
Catcliffe
Rotherham
S60 5SP

Dermot Pearson
Assistant Director
Legal Services
Rotherham Metropolitan Borough Council
Riverside House
Main Street
Rotherham
S60 1AE

22nd June 2018

Re: Community Governance Review

Dear Sir,

Catcliffe Parish Council would like to raise an objection to the decision made to amend the boundary of Catcliffe to Poplar Way.

Although the response received from the Catcliffe residents was low; the Parish Council feel very strongly that the Catcliffe boundary should remain unchanged; to protect the identity and community of the Parish. This was reiterated to RMBC in a response to the consultation by stating that Catcliffe Parish Council would prefer option 1 (No change to the Parishes) or option (To reduce the Parish of Orgreave).

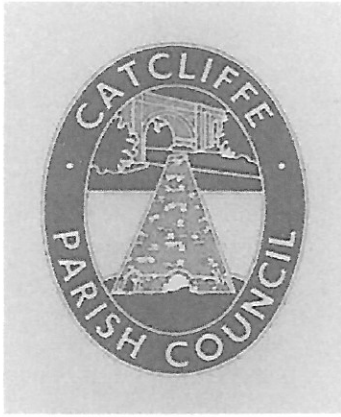
The Community Governance Review was initiated by Orgreave Parish Council as they did not recognise an identity with the Waverley development and did not want to see the Parish increase in size. Therefore, it is the opinion of Catcliffe Parish Council that the consultation should not have included the Parish of Catcliffe and should have concentrated on the relationship between Orgreave and Waverley South polling district.

Throughout the consultation; prior to the approval of the development, there was never any mention of the chance that Catcliffe could lose a large area of their Parish. In addition to this; Catcliffe residents have endured the ongoing disruption whilst the Waverley development has taken place; there have been constant traffic delays, noise pollution and a permanent covering of dust from site on vehicles and properties.

The residents of Catcliffe and Waverley have cohesion; both Parishes share schools, local bus services, health provision and places of worship. Although the plans for the Waverley development includes the provision of these services; it should be anticipated that the residents of Catcliffe and Waverley North could continue to share facilities to build a stronger community. Catcliffe Parish Council value the importance of building and supporting a strong community and urge the members of Rotherham Metropolitan Borough Council to enable this by agreeing to leave the boundary of Catcliffe unchanged.

I hope that this objection will be considered by the full Council on the 27th of June before a final decision is made.

Yours Sincerely
Sarah Youngman
Clerk to Catcliffe Parish Council



CATCLIFFE PARISH COUNCIL

Catcliffe Memorial Hall
Old School Lane
Catcliffe
Rotherham
S60 5SP

17th January 2018

Dermot Pearson
Assistant Director Legal Services
Rotherham MBC
Riverside House
Main Street
Rotherham
S60 1AE

Re: Orgreave; Catcliffe and Waverley Community Governance Review

Dear Dermot,

Catcliffe Parish Council have reviewed the proposed changes to the parishes of Orgreave; Catcliffe and Waverley.

On Wednesday 10th January the Councillors voted in favour of there being no change made to the boundary of Catcliffe.

Therefore, it is the opinion of Catcliffe Parish Council that Options 1 and 2 are the preferred options.

Yours sincerely

A handwritten signature in black ink, appearing to read "S Youngman".

Sarah Youngman
Clerk to Catcliffe Parish Council

ORGREAVE PARISH COUNCIL
451 Retford Road
Orgreave
Sheffield
S13 9WB

Telephone: 0114 2696381

Email: orgreavepc@gmail.com

12th April 2018

Dermot Pearson – Legal & Democratic Services
Rotherham Metropolitan Borough Council
Riverside House
Main Street
Rotherham
S60 1AE

For the attention of the Dermott Pearson - Legal & Democratic Services

Dear Dermott,

Re: Community Governance Review – Orgreave Parish Boundary

At its meeting held on Thursday, 15th March 2018 it was agreed by members of Orgreave Parish Council to formally write to Rotherham Metropolitan Borough Council (RMBC) to register its views on the current consultation.

Orgreave Parish Council **opposes** Option 1.

The Parish Council feels that it is for the electorate living within the whole of Waverley development & the Parish of Catcliffe to decide which of the other options they support (Option 2, 3 or 4) however Orgreave Parish Council does support the forming of a new parish for the whole of the Waverley Development (as detailed in Option 3).

As previously stated by the Parish Council in the previous Community Governance Review abandoned in 2015:

- there is no synergy between the community of Orgreave and the new, ever expanding, housing development within Waverley.
- there is no defined boundary between the parishes of Orgreave & Catcliffe.
- there are no direct transport links between Orgreave & Waverley.
- there are no social activities joining the two areas (play-groups, coffee mornings etc.)

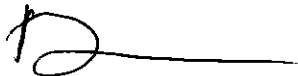
The recent Local Government Boundary Review proposed that the community of Orgreave and the Waverley development become their own Polling Wards, each within separate Polling districts. This proposal adds weight to re-aligning the current parish boundary to reduce the current size of Orgreave Parish and creating a new Parish for Waverley.

The Parish Council has:

- wrote to everyone on the Electoral Register, within the community of Orgreave (573) and those residents within the southern area of Waverley (920), all currently living within the Orgreave Parish Boundary.
- provided every individual elector with a consultation response form and detailed maps relating to each of the 4 options.
- urged all the electorate to support the Parish Council by opposing Option 1.
- informed the electorate that it supports the forming of a new parish for the whole of the area within the Waverley Development (Option 3).

Orgreave Parish Council is currently collating completed consultation response forms received from the electorate and these will be delivered to RMBC before the 16th April 2018.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'D. Morris', with a long horizontal stroke extending to the right.

D. Morris
Clerk & Finance Officer

Summary Sheet

Name of Committee and Date of Committee Meeting

Council – 25 July 2018

Report Title

Overview and Scrutiny Annual Report 2017-18

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

No

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

James McLaughlin, Head of Democratic Services and Statutory Scrutiny Officer
01709 822477 or james.mclaughlin@rotherham.gov.uk

Ward(s) Affected

All

Executive Summary

This report presents 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 20 June 2018.

Recommendation

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

List of Appendices Included

Appendix 1 Overview and Scrutiny Annual Report 2017-18

Background Papers

Minutes of Scrutiny meetings during 2017-18
Scrutiny Review reports

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 20 June 2018

Council Approval Required

Yes

Exempt from the Press and Public

No

Overview and Scrutiny Annual Report 2017-18

1. Recommendations

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

2. Background

- 2.1 The Overview and Scrutiny Annual Report provides 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 offers a look ahead for 2018-19 in terms of future priorities through a headline work programme.
- 2.2 It is a good opportunity to provide information to Members, officers, partner agencies and the general public about the role and work of Scrutiny and to formally thank Scrutiny Members and our co-optees for their contributions.
- 2.3 The intention is to show tangible outcomes that have been achieved and which may be directly attributable to the work of Scrutiny, illustrating the added value Scrutiny brings to the work of the Council. The draft report is attached as Appendix 1.

3. Key Issues

- 3.1 The scrutiny work programme, as outlined in the annual report, helps to achieve corporate priorities by addressing key policy and performance agendas and the outcomes focus on adding value.
- 3.2 The report is a key tool for engaging Members, officers and the general public in the detail of Scrutiny work and hopes to encourage wider involvement in scrutiny, as an important aspect of local democracy and the Council's governance processes. This will have a renewed focus in 2018-19.

4. Options considered and recommended proposal

- 4.1 This report presents the final draft of the Overview and Scrutiny Annual Report for 2017-18 for consideration and approval by OSMB prior to publication for the Council meeting on 25 July 2017.

5. Consultation

- 5.1 This section is not applicable to this report.

6. Timetable and Accountability for Implementing this Decision

- 6.1 As Council is recommended to approve the Annual Report, there are no further stages in the decision making process.
- 6.2 The Head of Democratic Services and Statutory Scrutiny Officer is accountable for the publication of the report.

7. Financial and Procurement Implications

- 7.1 There are no financial or procurement implications associated with the Overview and Scrutiny Annual Report.

8. Legal Implications

- 8.1 The Council's Overview and Scrutiny Procedure Rules and Article 8(6) of the Constitution require the Overview and Scrutiny Management Board to submit an annual report to the Council and this is that report.

9. Human Resources Implications

- 9.1 There are no direct human resources implications associated with this report.

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 associated with this report, however the scrutiny function has undertaken work throughout the past year to support both groups.

11. Equalities and Human Rights Implications

- 11.1 Scrutiny focuses on promoting equality through improving access to services and support and ensuring the needs of groups sharing an equality protected characteristic are taken into account.

12. Implications for Partners and Other Directorates

- 12.1 There are no implications for partners or other directorates associated with this report.

13. Risks and Mitigation

- 13.1 There are no risks associated with the Overview and Scrutiny Annual Report.

14. Accountable Officer(s)

James McLaughlin, Head of Democratic Services

This report is published on the Council's website or can be found at:-

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

Overview and Scrutiny in Rotherham



Annual Report 2017-18 and Work Programme 2018-19

Check, Challenge, Change

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Welcome

Councillor Brian Steele, Chair of Overview and Scrutiny Management Board



Welcome to the 2017-18 Annual Report of Overview and Scrutiny in Rotherham

This report presents a summary of the comprehensive scrutiny work programme carried out last year by the Overview and Scrutiny Management Board (OSMB) and the three Select Commissions - Health (HSC), Improving Lives (ILSC) and Improving Places (IPSC). It highlights the broad range of issues scrutinised, some of which are discrete pieces of work focusing on a specific topic, whereas others, such as scrutiny of service transformation and development, continue over a longer period of time.

During 2017-18 we have consolidated the scrutiny function and raised awareness of our work through the Overview and Scrutiny Updates to Council, enabling all Members to be better informed about current and planned scrutiny work. Scrutiny review reports and the formal response from Cabinet and Commissioners to review recommendations are now both presented at Council, emphasising the added value provided by Scrutiny to local democracy and decision making processes.

It has been the first full year of pre-decision scrutiny with the vast majority of recommendations made by Scrutiny approved by Cabinet and Commissioners, exceeding our 90% target. Recommendations from our in-depth reviews of Alternative Management Arrangements for Children's Services and Emergency Planning have been accepted, with recommendations from the latter incorporated in the refreshed Major Incident Plan. The formal response to the reviews of Use of Agency Staff, Interims and Consultants; Adult Community Learning and the spotlight review of the Drug and Alcohol Service will be reported in the summer.

One of my personal highlights each year is working with Rotherham Youth Cabinet when they take over an OSMB meeting in the Children's Commissioner's Takeover Challenge. This year's theme was to improve work experience opportunities for all young people and I look forward to receiving their review report and final recommendations. It is also very positive to know that they are continuing to work with South Yorkshire Passenger Transport Executive and transport providers and are currently involved in developing a South Yorkshire Transport Charter, including a competition for young people to design the charter poster.

Although Scrutiny already had a full work programme planned at the start of the year inevitably other issues emerge and it is important to have the flexibility to consider and respond to these in a timely manner. One such example was the work undertaken by IPSC to seek assurance about fire safety in the Council's high rise properties following the disaster at Grenfell Tower.

It is encouraging to see that Scrutiny Members have been out and about undertaking visits to service providers during the year, either as part of a review or to develop their knowledge of local services, and that other visits are planned for 2018-19. For example, HSC Members visited child and adolescent mental health services at Kimberworth Place and this has increased their understanding of the services and care pathways, which will in turn facilitate effective scrutiny. Opportunities to engage with service users directly adds value to scrutiny work and I am hopeful that OSMB's "An Audience with ..." session at Voluntary Action Rotherham later in the year will boost public involvement in scrutiny from the voluntary and community sector.

Finally, I would like to take the opportunity to thank all Scrutiny Members for their hard work last year and their commitment to undertaking effective scrutiny in Rotherham and on the joint scrutiny bodies. I would also like to thank our co-optees who have given their time voluntarily to enhance the scrutiny process. I am confident that Scrutiny will continue to achieve positive outcomes in 2018-19 by delivering a work programme based on key policy and performance agendas.

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Enhancing the scrutiny function

Introduction

As illustrated in the last annual report and by the Overview and Scrutiny Updates to Council during 2017-18, the scrutiny function has been strengthened greatly over the last three years and is working well. Following the restoration of the vast majority of decision-making powers to Cabinet, effective scrutiny remains central to the Council's formal governance arrangements, ensuring accountability and transparency.

Over the last two years a comprehensive Member development programme has been delivered with Scrutiny Members participating in a range of courses and workshops to develop their scrutiny skills. This has been evident during 2017-18 with Members, including those recently elected in 2016-17, putting their learning and development into practice and undertaking their scrutiny role confidently and effectively. Scrutiny Members have also contributed to peer reviews, the corporate health check and the Ofsted inspection this year.

Scrutiny roles

Scrutiny is an important means of engaging Members, Council officers, partner agencies and the public in local democracy by considering major issues that affect the Borough and our communities.

- ♦ Holding to account - Scrutiny provides a "critical friend" to decision makers in ensuring that their decisions reflect the views and priorities of local people and that decisions are implemented properly. The Executive may be held to account by scrutiny reviewing a decision before it is implemented, known as "call in".
- ♦ Policy development - Our scrutiny committees undertake reviews into areas of concern, consider policies and practices, and look at performance information before making recommendations or suggestions to Cabinet, Commissioners and partners about how policies and services could be improved.
- ♦ Pre-decision scrutiny - OSMB use the Forward Plan of Key Decisions to identify a small number of policy decisions to scrutinise in advance of them going to the Cabinet and Commissioners' Decision Making meetings. Details of these and the additional recommendations made by OSMB are on pages 7-8.

Work programme

Each year the scrutiny work programme is developed and agreed using a prioritisation process to make sure the focus is on the right issues. Financial management and performance management continue to be key themes to ensure the Council achieves its priorities in view of the financial challenges faced and the need to make budget savings. Service transformation and reconfiguration is another area in which Scrutiny seeks assurance around issues such as consultation, equality, communication and access.

Members employed a range of methods to deliver their work programme last year as they looked to find the most effective approach for the issue under scrutiny. Performance sub-groups; task and finish groups; full and spotlight reviews; visits to other local authorities to learn from good practice; visits to service providers; and focused single item meetings all featured, in addition to reports or presentations to the full committee.

RMBC scrutiny members have again been involved in sub-regional scrutiny to ensure Rotherham has a voice and that our priorities and concerns are heard. We have been represented on the Sheffield City Region Combined Authority Overview & Scrutiny Committee; the South Yorkshire, Derbyshire, Nottinghamshire and Wakefield Joint Health Overview & Scrutiny Committee; and the South Yorkshire Police and Crime Panel.

Next Steps

In 2018-19 work will continue to enhance the impact and achievements of the scrutiny function by ensuring good preparation and planning, having a clear scope for reviews, determining the best approach to take and identifying the right people to answer questions or provide information. Encouraging more public involvement in scrutiny, directly and on-line, will also have renewed focus in 2018 (see Getting Involved on page 5). Self-evaluation and reflection by the scrutiny committees on what has been successful and what could be improved will also inform the future development of the function.

With increasing collaboration between local authorities, and between local authorities and partner agencies, sub-regional scrutiny will continue in 2018-19 and beyond. It is important to strengthen the two-way flows of information between our scrutiny committees and the joint bodies to keep the wider membership informed and to feed back their views.

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Getting Involved

Scrutiny Services constantly look at ways to raise public awareness of scrutiny work so that more people do become involved and give their views or provide information. As part of this awareness raising, Members of the Overview and Scrutiny Management Board will be participating in one of the “An Audience with ...” sessions hosted by Voluntary Action Rotherham on 3 October 2018. This will be a good opportunity to meet with the voluntary and community sector to discuss what scrutiny is and how it works in Rotherham, with a view to encouraging people to ask questions at scrutiny meetings and to contribute evidence to our reviews. It will also enable the sector to raise any topical issues for potential inclusion in the scrutiny work programme.

- * ILSC focuses on issues that impact on children and young people. During the year they will be meeting with the Young Inspectors to discuss what has emerged from the young people’s visits and service audits. This could again inform future scrutiny by the Commission.
- * OSMB have a standard agenda item at their meetings for Rotherham Youth Cabinet to raise any important issues or concerns, in addition to the Children’s Commissioner’s Takeover Challenge.
- * HSC engages with carers and carers’ representatives in its scrutiny of the Carers’ Strategy.

“I get to know the “ins and outs” of Council services and put forward opinions of the tenants and residents. I relay relevant information to other service users, not just at RotherFed but also at other meetings and even to individuals I meet around the borough. I enjoy gaining the knowledge, hearing other comments and different perspectives, and knowing that Council services are scrutinised.” Co-optee Lilian Shears, RotherFed

Information about the scrutiny process is on our webpages at www.rotherham.gov.uk/scrutiny. This includes a “have your say” form to let us know if you would like to submit evidence for a review, make a suggestion or raise a query about scrutiny. We hope this will encourage people to communicate with us on-line and contribute to scrutiny even if they are unable to attend scrutiny meetings.

Broad themes for the 2018-19 scrutiny work programme are on page 21, providing a flavour of the work coming up. Scrutiny meetings take place in public and include a dedicated slot for members of the public to ask questions or raise issues of concern or interest. We are also happy to receive suggestions for future issues or topics for review. Once the work programme has been confirmed we will regularly update the webpages about current and upcoming work and welcome your involvement.

You can find out more about the range of different issues looked at in previous reviews on our website. Two recent examples are alternative management arrangements for children’s services and emergency planning. The responses from Commissioners and Cabinet, plus partners where applicable, to recommendations made by the scrutiny committees are also available. The next section in this report highlights where scrutiny has successfully had a positive impact.

You can email: scrutiny.works@rotherham.gov.uk or telephone 01709 822776

Alternatively you can write to us:-

Scrutiny Services
Rotherham MBC
Riverside House
Main Street
Rotherham S60 1AE

Public engagement during 2017-18

The scrutiny bodies have continued to welcome members of the public to their meetings as observers and co-opted members. Scrutiny Members appreciate their input in reviews and discussions and would like to extend thanks to the co-optees that served on the Select Commissions in 2017-18.

Health - Victoria Farnsworth and Robert Parkin, Speakup

Improving Lives - Joanna Jones, Voluntary Sector

Improving Places - Patrick Cahill and Lilian Shears, RotherFed

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Outcomes from Scrutiny

Pre-decision Scrutiny

Since July 2016 pre-decision scrutiny has become fully embedded within the scrutiny function, with OSMB undertaking the majority of this work but also delegating to one of the Select Commissions where more appropriate. The recommendations proposed in the pre-decision reports considered by Scrutiny in 2017-18 were all supported, but the Board successfully made additional recommendations to Cabinet and Commissioners regarding a number of policy decisions, as summarised below.

Where pre-decision reports related to commencing public consultation on initial proposals, OSMB requested that the final post-consultation proposals should also come back to OSMB before the decision by Cabinet and Commissioners. This included proposals for significant changes to services, such as the Waste Options Appraisal; Future of In-house services for Adults with a Learning Disability and/or Autism; and Changes to Home to School Transport Policy.

In some cases, follow up reports to either OSMB or the relevant Select Commission, have been asked for in 2018-19 to monitor the implementation and impact of several new initiatives, plans or policy changes. These include the Public Spaces Protection Order for Rotherham Town Centre; Rotherham Integrated Health and Social Care Plan (by HSC); and the Time for Action initiative (by IPSC). In addition, ILSC has requested additional work to ensure the 'voice of the child' is captured in monitoring the implementation of the Resource Allocation for Disabled Children.

"The improvement in Scrutiny in Rotherham over the last few years has had a profound impact on the way that we discuss issues and make decisions. I am really pleased with the progress we've made, the way that Members are actively challenging and contributing to the way the Council works, and as our new ways of working mature we should be confident about how this can improve services in the future." Cllr Read, Leader

Consultation on Changes to Policy for Home to School Transport (first report) and Home to School Transport Policy (second report following public consultation)

Prior to pre-decision scrutiny, OSMB had already discussed a detailed presentation on the policy. Members endorsed taxi companies in Rotherham not being allowed to sub-let contracts unless the sub-contractor met Rotherham's Taxi Licensing Policy, including the use of CCTV cameras in their vehicles. No additional recommendations were made on the first paper but there were two on the final proposals - to investigate the cost/benefit feasibility of operating an in-house service for students requiring home to school transport rather than reliance on taxis, and for IPSC to receive a report on implementation of the policy in six months.

Introduction of a Public Spaces Protection Order for Rotherham Town Centre

Following an earlier briefing on this issue OSMB had already indicated that the final proposal would be subject to pre-decision scrutiny. The Board made a recommendation that the condition of "using a vehicle to cause a nuisance" should be included and this will be subject to further information gathering and reviewed for inclusion at a later date. The suggestion to have a single code of practice in respect of enforcement activity and issuing penalties, for the Council or any external body undertaking these functions on behalf of the Council, was approved. It was also agreed to have a 12 month review, post implementation of the order to assess impact and make variations, adjustments or new orders as necessary, to be considered by OSMB.

Waste Options Appraisal Consultation (first report) and Waste Collections Service Review (second report following public consultation)

OSMB's recommendation on the first paper that further consideration should be given to how newly arrived communities and those who did not have English as a first language were consulted on the Waste Option Appraisal was approved. On the second paper, Cabinet welcomed the idea of exploring the feasibility of communal facilities for waste disposal and recycling in high density housing and new developments. The communications and engagement strategy will be submitted to IPSC for their input and monitoring.

Although OSMB's suggestion to have a small scale trial in different types of households (terraced housing, flats, maisonettes) prior to full implementation could not be supported, it was agreed that opportunities to gather feedback from volunteers on bin sizes and options would be reported to the Board.

The 'Time for Action' Initiative - See details under IPSC.

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Outcomes from Scrutiny

Pre-decision Scrutiny

Council Plan 2017 – 2020

OSMB recommended that the term “domestic abuse’ be used consistently in Council documents. Members also asked for information on baseline indicators for all measures, to facilitate comparison at the year end.

Budget and Council Tax 2018-19

Following their previous budget scrutiny (described on page 9) OSMB supported the final budget proposals and agreed to continue having oversight of the Adult Social Care budget. Additional recommendations were:

- * equality impact assessments on budget proposals to be available to inform Council’s consideration of the Budget and Council Tax 2018/2019 on 28 February 2018
- * consideration of how improvements could be made to the consultation process to ensure that public views could be taken into account in the scrutiny of the budget proposals
- * discussion on the budget timetable to ensure early consideration of budget proposals by OSMB

Cabinet indicated that equality impact assessments would be made available as background papers and that consideration would be given to improvements to the public consultation process and budget timetable.

Voluntary and Community Sector Infrastructure Services Review

Greater clarity on the outcomes arising from the activity outlined is needed to ensure value for money is achieved on the Council’s investment.

Advice Services Review

The annual review of the arrangements will consider the impact of the proposals on waiting times and level of demand, and will be submitted to OSMB for consideration.

Housing Revenue Account Business Plan 2018-19

OSMB requested and received further detail of the options discounted for the Base Case prior to Cabinet.

Review of Council Tax Support Scheme

OSMB recommended being clearer on how consultation responses were used to inform proposals and that if the proposals were different to the majority consultation response, having a clear rationale about how the proposals had been arrived at. A further report will be presented in October 2018 on the take up of the Council Tax Support Scheme and the impact of the roll-out of Universal Credit across the borough.

Increase in Council Tax Empty Property Premium

More clarity about the appeals process should be provided to affected residents.

Proposals for consultation on the implementation of the Early Help Strategy: Phases Two & Three

ILSC had previously supported the vision; objectives and guiding principles of the Early Help Whole Service Review. OSMB recommended that staff consultation should run over 60 days like the public consultation.

Rotherham Side by Side Housing Related Support Review

A post-implementation review, subject to further discussion with officers on timescales.

Review of the Learning Disability Offer and the future of in-house services for Adults with a Learning Disability and/or Autism

The Board requested a further report on the additional costs associated with the proposals as well as asking for the final proposals to go back to OSMB after consultation before the final decision by Cabinet in May.

During the year other policy proposals were scrutinised by OSMB and supported as presented following questions and discussion. For brevity these have not been included in this report.

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Outcomes from Scrutiny

Scrutiny

On this page are examples highlighting where Scrutiny has had a direct influence on policy development or on services, either this year or as a result of previous scrutiny recommendations.

Health and Wellbeing Strategy

Carers included as a specific priority and increased focus on loneliness in the refreshed strategy.

Asset Management

Lists of assets in each ward produced with work continuing to refine and update the information.

Domestic Abuse Strategy

ILSC helped to shape the refreshed strategy and ensured a perpetrator programme has been developed.

Emergency Planning

The review directly influenced the refresh of the Emergency Plan as the two pieces of work happened concurrently.

Access to GPs

Rotherham Clinical Commissioning Group and RMBC Library and Information Services are exploring the possibilities for joint working using ICT access and support in libraries as a means of enabling and encouraging people to communicate with their GP surgery on-line.

Contract with Dignity plc

Stronger contract management and improved dialogue between RMBC, Dignity and stakeholders.

Placements for Young People

Emergency placements for vulnerable children and young people including “crash pads” are available following a recommendation made when proposals to close two residential children’s homes were discussed.

Temporary Bus Station

Although public toilets in Rotherham Interchange are open, one of the portaloos on Forge Island for bus drivers and staff will be suitable for disabled access and will be available on request for any urgent use.

Looked After Children’s (LAC) Health Assessments

Following a scrutiny recommendation, the Corporate Parenting Panel has explored this issue and seen a concerted effort during 2017 by RMBC and health partners working together to improve compliance for LAC having assessments within the statutory timeframes.

Housing Allocation Policy

Members have been involved in developing and delivery of the new pre-tenancy workshops for prospective council housing tenants designed to help sustain tenancies by covering all aspects involved in being a tenant.

Lifestyle Survey

Following a suggestion to look at harassment broken down by gender, disaggregated data was shared with the Safer Rotherham Partnership when looking at priorities for the new three year strategy. This prompted the partnership to request a new question in the 2018 survey asking “In school have you been taught about relationship abuse?”.

Cllr Cowles, Vice Chair of OSMB commented: “The work of scrutiny continues at pace, both in terms of new areas of work and constant revisiting and rechallenging of ongoing areas of authority activity. Over the past year scrutiny have made many recommendations to Cabinet, the vast majority accepted, clearly highlighting the importance of the work that the group does. And I fully expect that this will continue throughout the coming year.”

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Overview and Scrutiny Management Board

OSMB's remit is as follows:

- Leading on pre-decision scrutiny
- Monitoring the Council's budget, medium term financial strategy and achievement of efficiencies
- Designated Crime and Disorder Committee
- Scrutinising the annual budget setting process
- Monitoring and holding to account the performance of service delivery
- Call-in and Councillor Call for Action
- Assigning overview and scrutiny work as appropriate to the Select Commissions

Budget 2018-19 and Medium Term Financial Strategy Progress (MTFS)

Scrutiny of the Council's financial position in-year, progress on the MTFS, and budget proposals for next year were once again central to OSMB's work programme in 2017-18. Prior to commencing the 2018-19 budget scrutiny a presentation on "Shaping Rotherham's Strategy" set the scene for OSMB by outlining the current position - national context, how the Council is funded and where the money is spent, challenges and savings. It articulated "The future we are working to build" and how this would be achieved, including important future milestones.

During two dedicated meetings in December 2017 the budget options for income generation and savings proposals in directorates were then scrutinised in depth. With regard to the proposal for the reorganisation of the communications function, Members requested an update on the Communications Strategy from the new lead officer, which will be included in the future work programme. The majority of the proposals were supported but for a small number OSMB requested further information for their meeting on 10 January:

- * Markets – plans for 2019-20 and clarification on the split between reduced cost and increased income
- * Transport Review Stage 2 – equality impact assessment
- * Cenotaphs – which would be affected and which Parish Councils undertook maintenance and cleaning
- * £25k funding withdrawn from homelessness service – impact on delivery of the homelessness strategy
- * School Improvement – clarification on where the saving would come from and impact on the service

After considering the additional information, the first four proposals were supported by OSMB but a detailed report on the savings proposals for School Improvement was requested as these related to Rotherham Youth Enterprise (RYE). The RYE proposals were discussed at length on 31 January 2018 as this was a revised budget proposal with three options for the future service including a preferred option. OSMB did support the preferred option to have a reduced team who would link in with RiDO (Rotherham Investment and Development Office). The budget proposals were also subject to pre-decision scrutiny (see page 7).

Financial Monitoring Reports and Budget Updates

The forecast overspend in July was noted together with the actions taken to address areas of overspend and to identify alternative or additional savings to mitigate shortfalls in achieving planned savings in 2017/18. With the financial challenge and demand pressures on services, Members decided to continue having regular budget monitoring reports for Adult Care and Housing and Children and Young People's Services (CYPS). The Dedicated Schools Grant Recovery Strategy, which would transfer £3m in 2017-18 to reduce the forecast Higher Needs Block deficit and mitigate in-year pressure, had been put in place and OSMB considered a specific report on the Higher Needs Block funding in December 2017.

Following scrutiny in September of the financial forecast Members and officers determined future areas to scrutinise in depth on the Adult Social Care budget. A report on Residential and Nursing Care Provision in Rotherham resulted from this and provided an overview of the current and projected position for all client groups. Later in the year a workshop session discussed the Adult Social Care Improvement Plan and it was agreed to have quarterly updates on the plan and the budget position together during 2018-19.

Alignment of the Asset Management Policy & Strategy to the Medium Term Financial Strategy

The Board scrutinised a report detailing key elements and objectives of the policy and strategies, how they align in delivering the Council's corporate objectives and transformation plans and also support effective budget management. Links with neighbourhood working and assets in individual wards were explored

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Overview and Scrutiny Management Board

resulting in recommendations for ward members to be provided with a list of assets within their ward and to be apprised of any asset disposals. OSMB requested a copy of the Asset Management Plan when published and agreed to monitor capital receipts to ensure requirements of the MTFS are met. They also asked for links between asset management and neighbourhood working to be reflected in the future refresh.

Children's Commissioner's Takeover Challenge 2018 (CCTOC)

"CCTOC was a brilliant event which had some interesting outcomes, all partners who attended had an input and we look forward to working with them in the future." Toni Paxford, Rotherham Youth Cabinet (RYC)

OSMB once again demonstrated its commitment to this national initiative by supporting RYC in a spotlight session in April. Four Members and the scrutiny team supported the young people with their planning in advance of the meeting and RYC chose the theme of improving work experience opportunities for all young people as this was a priority in their manifesto. Prior to the meeting they surveyed other young people from schools across the borough to obtain their views about work experience. These findings were used to develop some initial recommendations that were presented at the session.

After setting the context RYC led an in-depth question and answer session to explore how to create better work experience opportunities for all young people. Cabinet Members, two schools, partner agencies and officers all participated in the discussion and the young people's attention was drawn to initiatives that were already happening locally. It was clear people held differing views regarding the provision of and access to meaningful work experience opportunities, but a number of ideas emerged to explore further with partners. A review report setting out RYC's final recommendations, based on the evidence and outcomes of the discussions will be presented to OSMB and then to partners, including the Rotherham Together Partnership, for a formal response in September.

Cllr Mallinder commended the young people: *"My congratulations to the Youth Cabinet for the Scrutiny Meeting which was very professional and informative. Well done!"*

Scrutiny Review: Use of Agency, Interim and Consultancy Staff

A cross-party task and finish group, chaired by Cllr Steele, has undertaken a review to seek assurance that the Council measures performance and value for money in this area and is taking appropriate action to maintain spend within acceptable limits. The review was completed in February 2018 and has been reported to Council, with the formal response from Cabinet and Commissioners due in August.

The Workforce Management Board (WMB) had been set up shortly before the review commenced to introduce a control process, with the use of agency staff requiring explicit Directorate and Board sign off. This was advantageous as the group could hold officers to account and see evidence of the WMB's work and the associated improvement in performance; increased oversight and reduction in spend. Through this regular dialogue, Members were able to influence the development of procedures and the clarification of definitions and reporting routes, which has meant some of their recommendations have already been implemented during the course of the review.

Council Plan Performance

The overall position and direction of travel on the key delivery outcomes and measures was discussed at length and Cabinet Members will be invited to attend Select Commission meetings when performance information is scrutinised. It was agreed ILSC would undertake a review of Adult Learning. (see page 16).

Annual Report - Compliments and Complaints 2016-17

OSMB noted the content and key messages in the report, including proposed improvement actions for 2017-18. Members recommended that the review of the complaints procedure and policy should be submitted to the Board prior to any final decision to amend the policy. They also recommended that the relevant complaints procedure should be made available at the first point of contact with a complainant. In order to observe how issues were dealt with on the frontline the Board asked to shadow both the complaints team and frontline customer services staff. Finally, in a separate piece of work, it was agreed that ILSC would examine the Children's Social Care complaints procedure.

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Overview and Scrutiny Management Board

Safer Rotherham Partnership (SRP)

OSMB has responsibility for the Council's statutory function to scrutinise the work of the Safer Rotherham Partnership and receives an annual report from South Yorkshire Police and Council officers. This provides a high level overview of SRP activity over the year; listing its priorities over the previous twelve months, improvement activity and statistics on crime and anti-social behaviour. Members noted that continued work across partners to address anti-social behaviour (ASB) had led to a further 6% reduction during 2016-17, in contrast to most areas, although environmental ASB and arson incidents had increased, as had cyber-crime. Concerns were raised about the timeliness of responses to 101 calls and assurances were given about improvements to the 101 service. Details were provided of how agencies tackle nuisance off-road biking.

Following discussion of the report Members made a number of recommendations for future versions:

- * data reported at ward level as well as Borough wide, due to significant differences between wards
- * longer term five-year trend data included to enable a fuller understanding of changes over time
- * the format of the report and language used should be accessible for members of the public
- * public contact numbers for domestic abuse and child sexual exploitation included in the report

Operation of Second Fire Engine at Rotherham Fire Station

Following a Council resolution on 24 January 2018, OSMB held a focused single-item meeting to consider the decision taken by South Yorkshire Fire & Rescue Authority (SYFRA) in 2013 to change the operational staffing of the second fire engine. The effect of the change was that the second fire engine remained permanently available during the day, but was 'on call' at night from 31 March 2017.

Senior officers were invited to explain the financial context and the approach to Integrated Risk Management Plans (IRMP) which had informed this decision, as well as the impact of the change during the year. After the meeting the Chair of OSMB wrote to the Chair of the Fire and Rescue Authority to confirm that Members were firmly of the view that the second appliance should be restored in Rotherham and to make the following recommendations for consideration by the Fire Authority:

- * to consider the reinstatement of the second night time pump at Rotherham Fire Station to ensure that there is equality and consistency of cover with Sheffield and Doncaster. In the meantime, priority should be given to resolving the night time resilience provision for Rotherham.
- * that when the Fire and Rescue Service is consulting on future IRMP these should be considered by the constituent authorities' Scrutiny Committees to receive considered feedback.
- * that future iterations of the IRMP detail crewing arrangements to provide greater public confidence.

The response from the Chair of the Fire Authority confirmed that should SYFRA find itself in an improved funding position, it would consider where and how to supplement resources and the Rotherham second pump provision would be an element of those considerations. The recommendation to involve scrutiny committees will be considered when SYFRA undertakes consultation on the next IRMP. More detail will be included in the IRMP on crewing arrangements so readers gain a better understanding of service cover.

Relationship between Audit Committee and Scrutiny

The Chair and Vice-Chair of the Audit Committee are appointed to OSMB to ensure a timely flow of information and an opportunity for referral of items between both committees. A proposal to adopt a concise protocol to ensure referrals between the committees are formally captured was supported by both bodies.

Petitions

Following the review of the Petitions Scheme last year it was agreed that OSMB would review any petitions with 600 signatures. OSMB considered the "Save Cedar House Crisis Centre" petition (mental health crisis care setting) referred from Council and although sympathetic to the points made by the lead petitioner, the Board supported the original budget decision made in March 2017. OSMB also reviewed the response to another petition in a thorough question and answer session and endorsed the response.

For further information contact:

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

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Health Select Commission

The remit is to carry out overview and scrutiny as directed by the OSMB in relation to:

- being the council's designated scrutiny body for any health issue relating to health and public health
- partnerships and commissioning arrangements for health and well-being and their governance
- scrutinising the integration of health and social care services and budgets
- health improvements and the promotion of wellbeing for adults and children of Rotherham
- measures to address health inequality
- food law and environmental health
- issues referred from Healthwatch

Scrutiny Review: Drug and Alcohol Treatment Services

A cross-party sub-group, chaired by Cllr Evans, undertook a spotlight review to ensure the drug and alcohol service, which is operating within a reduced budget, would provide a quality, safe service under the new contract from April 2018. The review concluded in February and reported to Council in May with a formal response awaited from Cabinet and Commissioners later in the summer.

Questioning and evidence gathering included a visit to recovery services at Carnson House and was based on six objectives, which were to:

- * ascertain the prevalence of people with substance misuse issues in Rotherham
- * understand the new service specification and budget
- * understand the procurement process undertaken for the new contract
- * clarify the key factors in a safe drug and alcohol service
- * determine how effective support for people misusing drugs and alcohol is provided, taking account of the diverse needs of service users
- * identify how performance is measured and good outcomes achieved

The final recommendations were developed based on the main findings, with robust performance management needed to ensure progress. Members supported the ambition to address long term use of methadone and to increase the number of successful exits from services but acknowledged the challenge of people being comfortable in services and the time needed to come off methadone successfully. The sub-group recognised the value of in-depth initial assessments and reviews with service users, emphasising that these were vital to help measure progress against people's desired recovery outcomes and also to be aware of changes in circumstances. The focus on safety in the service specification and proactive measures taken to raise awareness of safety concerns was welcomed. Detailed analysis by Rotherham Doncaster and South Humber (RDaSH) into suspected suicides that would inform the work of the multi-agency Suicide Prevention and Self-Harm Group was valued and showed the importance of suicide prevention awareness raising.

"One of the most interesting and developmental experiences I have had since joining the council in 2016 has been taking part in scrutiny panels. It is a really speedy way to begin to understand and navigate the relevant departments and fit the system together! Meeting the delivery teams and getting to know who to contact (harass!), about what, is really useful! I have met some impressively dedicated and helpful people and never cease to be amazed at the knowledge and commitment I witness. This is not to say everything is totally on track or that there are no problems, but I feel we have the makings of a forward looking and caring authority which the people of Rotherham can put their trust in." Cllr Pat Jarvis, HSC and ILSC

Scrutiny Review: RDaSH Child and Adolescent Mental Health Services Update (CAMHS)

As part of its continuing scrutiny of mental health transformation HSC visited Kimberworth Place to meet the pathway leads and develop a clear understanding of the service. This was then followed by a detailed exploration of progress on six specific areas identified previously - developing a single point of access (SPA); roll out of locality working; waiting times; training; transition from CAMHS; and performance.

Waiting times for assessment and treatment had been a particular concern but had improved through a multi-faceted approach - locality workers, referrals coming in that were more appropriate, and through more consultation, advice and guidance work with other professionals, families and young people directly. Members sought clarification on the links between CAMHS and Early Help through the SPA and whether

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young people could still self-refer. It was confirmed that self-referral and referral by families was in place, other than for ADHD or autism diagnostic assessment as these referrals needed wider information from schools and home. Members welcomed the progress made and requested a further report in 2018-19.

Evaluation of Whole School Project and Next Steps

One of the actions implemented following the scrutiny review of CAMHS has been a pilot initiative in six local schools to take a whole school approach to promoting mental health and wellbeing. HSC Members visited the schools during the pilot and were very impressed by the work and staff commitment. Cllr Marriott represented HSC at the event at Wales High School when all six schools had showcased their work to a wider audience. However, as Members were keen to ensure the schools could sustain progress after the pilot, with wider learning shared with other schools, scrutiny of the final evaluation and future plans was included in the work programme in 2017-18.

Maltby Academy, Newman Community Special School and Oakwood High School gave presentations to the full Commission that highlighted the benefits of the whole school approach and outlined their plans for maintaining progress. Members asked about links with primary schools, involving other schools that had not been in the pilot, teaching staff health and wellbeing, impact of exam pressures and incidence of bullying.

Next steps included a review of social and emotional mental health needs to inform a joint strategy that would cover education, health and care and HSC agreed to receive a further progress monitoring report on the Social, Emotional and Mental Health Strategy in 2018 as it develops. Members recommended that consideration be given as to how all Elected Members who are school governors, in primary and secondary schools, can help to support Social, Emotional and Mental Health as a priority in their schools.

Learning Disability Update

The Strategic Director of Adult Care and Housing provided a verbal update on the work to transform learning disability services. Discussion centred on the challenges in undergoing this transformation and service modernisation, both for Adult Social Care and for families, and the importance of consultation and involvement. It was agreed to receive further updates as the work progresses, in conjunction with OSMB.

Rotherham's Integrated Health and Social Care Place Plan (IHSCPP)

A central element of the Commission's work programme is scrutiny of health and social care integration and transformation. In September 2016 the Commission discussed a presentation introducing and setting the context for the new IHSCPP that was being developed in partnership by health and social care partners. Members fed back several issues and included scrutiny of the plan in the work programme for 2017-18.

♦ Evaluation and Roll Out of the Integrated Locality Model – 'The Village' Pilot

In June 2017 HSC discussed a presentation and initial evaluation report, exploring the impact on patients and performance, and some of the challenges faced in the pilot. It was agreed to scrutinise the final evaluation and plans for rolling out the pilot, with a further update provided in January. Members set up a small working group to consider the final report and to discuss the roll out, including outcomes they would like to achieve and measures of success, in addition to the existing metrics. This work will be concluded early in 2018-19. Visits are also being planned to The Village and other key sites.

♦ Rotherham Urgent and Emergency Care Centre (UECC)

The new UECC opened in July 2017 bringing together the urgent and emergency care element of the former Rotherham Walk-in Centre, GP Out of Hours Service and the Hospital Emergency Department. Members welcomed the new facility and positive patient feedback. They discussed current challenges and future plans in detail, in particular for improvements to discharge processes and the care of frail elderly patients through more of a partnership approach.

♦ Transformation initiatives - Care Co-ordination Centre (CCC) and Integrated Rapid Response

HSC noted the plans for a phased implementation to extend both services to include mental health and social care and discussed issues around IT and information governance with regard to sharing patient records. Further information was requested and received regarding issues raised by GPs.

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♦ RDaSH Rotherham Care Group Transformation Plan

Bringing mental health into the CCC is one element of the wider transformation of adult and older people's mental health services, which is now in its second phase. HSC discussed the new RDaSH structure, care pathway framework and access to services. They explored how the locality model would work in practice and the balance between specialisms and generic working in a needs-led service.

“Healthy Ageing - living well and living longer” Director of Public Health Annual Report 2016

Members discussed the report at length and probed into specific issues including difficulties with behaviour change initiatives, development of Making Every Contact Count (an IHSCPP priority), smoking and vaping, and the harmful impact on health of isolation and loneliness for older people. Members recommended that the previous spotlight review on urinary incontinence be considered in developing the action plan and requested a future update on the action plan in 2018.

South Yorkshire, Derbyshire, Nottinghamshire and Wakefield Joint Health Overview and Scrutiny Committee (SYDNoW JHOSC)

A mandatory joint health overview and scrutiny committee was established as workstreams and proposals for NHS reconfiguration affect more than one local authority. Cllr Evans represented RMBC on the joint body, feeding back regarding progress on the proposals for hyper acute stroke and children's surgery and anaesthesia services and raising issues at the JHOSC on behalf of HSC. Initial information about the current Hospital Services Review was also provided.

Adult Social Care Performance

A provisional summary of the 'high level' year-end performance results for the Adult Services Care Outcome Framework measures was considered in July, followed by the final detailed results and benchmarking against regional and national data. HSC agreed to consider the best approach to future reporting for 2018. Several Members also saw a demonstration of Liquid Logic Demonstration enabling them to have a better understanding of the information that is collated and analysed for service users and specific cohorts.

Progress on Carers' Strategy Implementation (Joint scrutiny with ILSC)

After discussing progress in November, Members recognised that some good work was taking place but agreed the delivery plan should be updated to become “SMART” with a further detailed progress report to come back in March 2018. They recommended having a clear focus on ensuring the voice of young carers is captured and that work with schools and GPs should continue to identify and support young carers. At the subsequent update the refreshed thematic delivery plan was endorsed although Members suggested some additional information for inclusion in the workbook. They agreed to have another progress report in July 2018 to ensure all actions were on track.

Refresh of Health and Wellbeing Strategy and Integrated Health and Social Care Place Plan

HSC discussed a presentation on the aims and priorities of the refreshed strategy and how both documents were aligned. Their feedback focused on addressing loneliness; becoming an all age friendly borough; and having more explicit links to the Carers' Strategy. This resulted in a new priority regarding carers being added to the refreshed strategy. The Rotherham Clinical Commissioning Group Commissioning Plan is refreshed annually on a rolling basis and will support delivery of the strategy and the IHSCPP. Members noted the six priority areas and received the final draft for comment in March.

Adult Residential and Nursing Care Homes

HSC left a slot in April for a workshop session on care homes, to follow on from information provided at a seminar earlier in the year. The focus of the session considered the work, ambitions and impact to date of the recently established Quality Board; the impact of the Care Home Liaison Service and an update on actions taken with regard to four individual care homes rated as inadequate (at June 2017) by the Care Quality Commission. The report and recommendations are being drafted and will be presented in July.

For further information contact:

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Improving Lives Select Commission

The remit is to carry out overview and scrutiny as directed by the OSMB in relation to:

- the implementation of Rotherham's plans to tackle Child Sexual Exploitation
- the Every Child Matters agenda (for every child to be safe, healthy, enjoy and achieve; make a positive contribution and achieve economic well-being)
- the early intervention and prevention agendas
- other cross-cutting services provided specifically for children and young people

Scrutiny Review: Alternative Management Arrangements for Children's Services

A small cross-party group of Members, chaired by Cllr Maggi Clark, carried out an in-depth scrutiny review to examine how improvements had been made in children's services elsewhere and how these could be applied to secure the long-term success of Rotherham's Children's and Young People's Services (CYPS). The review concluded last autumn and reported to Council in October, receiving a formal response from Cabinet and Commissioners in February.

Members undertook a rigorous assessment and sought assurance that the service would develop practice to move from compliance to a focus on quality. Based on the information, evidence and research available at the time of the review, the recommendations were developed around retaining a Practice Partner model as the preferred option, at least in the short term. The review group also reconvened to consider the additional learning points from the review and presented a report to the Strategic Leadership Team.

The report was published prior to the Ofsted judgement of "Good" being awarded. Cabinet and Commissioners agreed having a Practice Partner model had made a significant contribution to the first stage of the improvement journey, however a self-improving culture would be needed to move to "Outstanding". The Council will continue to participate in the Regional Review model and will commit to participate in the development of other service models that will enhance social worker practice and outcomes.

When ILSC discussed the response they made two further recommendations: for the draft performance dashboard to be submitted to their May meeting and for the Performance Board to submit their reports to the Commission. It was agreed that these reports would be submitted to the new performance sub-group.

Cllr Watson, Deputy Leader stated: "This was an excellent example of work where Elected Members had added a lot of value to the organisation and had been really useful to the service. The quality of the report and thought processes that had gone into it should be held up as an example to all Scrutiny work groups."

Ofsted Single Inspection Framework Recommendations

Although the overall outcome of the inspection was "Good" Ofsted made eight recommendations across the framework where additional improvements were needed. Members learned how these would be monitored and about planned activities to deliver the improvements, including practice learning days, monthly audits by Team Managers and a Quality Assurance Framework. Performance measures were reviewed annually and the Ofsted framework and Council Plan measures aligned. A copy of the specific additional actions for the Looked After Children Service was requested and a presentation on Signs of Safety during 2018-19.

Children Missing from Education (CME)

The Local Authority has a responsibility to ensure that CME are identified, reported and tracked, so that suitable educational providers can be found. The term refers to children of compulsory school age who are not on a school roll, and who are not receiving a suitable alternative education.

Member questions probed a range of issues regarding data, processes for monitoring attendance and when a child would be categorised as missing, safeguarding issues and young carers. A new CME performance scorecard was in place and the team were developing and refining the data. This included capturing themes for new children identified as CME, to establish potential vulnerability, alongside a focus on outcomes for children reported as missing from education. ILSC requested a detailed analysis in 2018 of the recorded data about children missing from education and a comparison with previous data on both a quarterly and an annual basis.

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Children and Young People's Services Performance

ILSC closely monitor the key performance indicators for CYPS, scrutinising the 2016-2017 Year End Performance Report and 2017-2018 Quarter One Performance Reports in detail. Following discussion on the latter the Commission requested an update on Family Group Conferencing and Edge of Care.

In a new approach to performance management a CYPS performance sub-group has been established and will meet quarterly in 2018-19 to consider the data and briefings submitted to the Performance Board. As a precursor to this work the group met twice in March to look at Safeguarding and Early Help services in order to understand how data is captured, benchmarked and monitored. Members also had a presentation about Liquid Logic and were assured that implementation was on track and practice embedding.

Outcomes of Pause Rotherham Scoping Exercise

A dedicated session took place to learn about the work, aims and impact of the Pause Project and to comment on the outcomes of the scoping exercise for Rotherham commissioned by Cabinet. Pause is a voluntary programme working with women who have had, or are at risk of, repeated pregnancies that result in children needing to be removed from their care. Members were supportive of initiating the Pause Project in Rotherham and this work is now progressing. ILSC recommended that partnership contributions could be explored given potential wider savings for the public purse; partner input sought on identifying the priority cohort; and proposals to include details of support for women meeting the criteria but not part of the cohort.

Domestic Abuse Strategy Updates

Domestic abuse has been a core workstream for several years with ILSC considering regular progress reports and suggesting improvements. The Commission identified a need for more information regarding: how the voice of the victim was captured in the Domestic Abuse Strategy; outcomes of the peer review; and details of the perpetrator programme. Members recommended that as part of the strategy development further consideration should be given to investment in women's empowerment and preventative work in school. They also requested an update on progress in addressing the recommendations of the PEEL review in relation to South Yorkshire Police's response to domestic abuse.

Following their scrutiny earlier in 2017, ILSC explored progress made now the Domestic Abuse Strategy and delivery plan were in place. Clarification was sought on the perpetrator programme, opportunities to make every contact count, the redesigned pathway and work in schools. Members requested an update in 2018 on implementation and reiterated their previous comments on capturing the voice of the victim. They also agreed to contribute to the peer review, if required by the Assessment Team, and did take part.

Complex Abuse

ILSC considered a report explaining what complex abuse is and the multi-agency procedure under the Rotherham Safeguarding Children's Board used in cases where there are believed to be issues of connected, organised or multiple abuse of children. The procedure sets out a way of working to ensure a multi-agency approach to the identification, planning and investigation around this type of abuse, including putting in place operating arrangements so that the safety for the children concerned is achieved.

Members were reassured to know statutory duties and powers which could call agencies to account if they were not fulfilling their safeguarding duties had not needed to be used in Rotherham. They discussed challenges faced by the service such as sharing information and agencies being aware of children moving in and out of the borough. Consideration will be given to a further report in 2018 to include the data protection changes and any ensuing impact. A follow up in depth workshop session was held in April to provide a deeper understanding of the process and to seek further assurances on the effectiveness of multi-agency working. A report and recommendations are being drafted at the time of writing this report.

Adult and Community Learning

As agreed at OSMB following scrutiny of the Council Plan, the Commission held a workshop session to discuss this service. The purpose was to seek assurance that the issues raised in the 2017 Ofsted inspection of Adult and Community Learning had been addressed and wider learning arising from this applied. The findings and recommendations from this work will be reported later in 2018.

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Improving Lives Select Commission

Education Performance Outcomes and Virtual School Headteacher Report

Members scrutinised an overview of the educational outcomes of students in primary and secondary schools and academies in Rotherham for the academic year 2016-17 and in comparison to statistical neighbours, regional Yorkshire and Humber authorities and national averages for the period. ILSC requested a follow up report on the possible impact of Universal Credit on numbers of disadvantaged children.

Linked to the focus on educational outcomes across the board, Members considered the Virtual School Headteacher Report. This highlighted factors that impact on educational attainment and progress for looked after children and showed key actions taking place to tackle these challenges, which were endorsed by ILSC. Members requested details on take up of training by maintained schools and schools in multi-academy trusts and an update on implications of the Children and Social Work Act 2017 once statutory guidance was issued. They recommended that the role of the Designated Looked After School Governor is raised with the Virtual School Governing Body and the response reported back.

Child Sexual Exploitation (CSE) - Post Abuse Services Update & Evaluation of Barnardo's Reach Out

Long term post-CSE support services for victims, survivors and their families in Rotherham have been commissioned from July 2016 for three years, with an option to extend for a further two years. These services include practical, emotional support and advocacy, and evidence based therapeutic interventions. ILSC discussed the latest regular progress monitoring report, asking questions in relation to needs analysis, waiting times, non-RMBC commissioned services in the third sector, post-trial support and recommissioning processes. Following the discussion specific information was requested for inclusion in the next update:

- * a map of all provision across Rotherham and how this is quality assured
- * impact of funding reductions on voluntary sector provision and on service users
- * contingency plans if funding bids are unsuccessful
- * evidence of post-trial support to survivors
- * an assessment of the needs analysis to establish if it requires refreshing

Members considered the impact of the Reach Out Service delivered by Barnardo's, which strives to support and protect children and young people at risk of CSE. Barnardo's own review, plus independent evaluation by the University of Bedfordshire, indicated high levels of activity with good outcomes. ILSC requested a future update outlining work to evaluate the impact of the train the trainer package, plus a detailed account of work with schools and their levels of engagement. Several Members also had a positive, informative visit to Barnardo's to meet staff involved in the Reach Out Service and their other services for young people.

Annual Reports

♦ Rotherham Safeguarding Adults Board Annual Report 2016-17

Members explored themes including capturing the customer voice, deprivation of liberty safeguards, learning from reviews, holding partners to account and communication with people whose first language is not English. They recommended that the 2017-18 report shows how the customer voice is heard and includes data on repeat Section 42 referrals and how these are addressed. The 2018-19 work programme will involve establishing how the two safeguarding boards work with the SRP to prevent repeat victimisation.

♦ Rotherham Local Safeguarding Children Board Annual Report

ILSC discussed the report asking questions on bullying, CSE, domestic abuse, looked after children, and early help. Their main focus was on partner responses to feedback from reviews/inspections, quality and improving practice. The impact of the work of the CSE and Missing Sub-group will be scrutinised further.

♦ Rotherham 'Voice of the Child' Lifestyle Survey 2017

Evidence was sought that the findings are shared widely and used to inform services and priorities. Several areas for further analysis were put forward by ILSC, including provision of breakfast clubs in schools, impact of the mental health pilot scheme in schools and if this had led to a reduction in incidence of bullying, and whether the data in the survey correlated with data from other sources such as Public Health for oral health.

For further information contact:

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Improving Places Select Commission

The remit is to carry out overview and scrutiny as directed by the OSMB related to:

- Housing and Neighbourhood strategies
- Economic development and regeneration strategies
- Environment and sustainable development strategies
- Community cohesion and social inclusion
- Tourism, culture and leisure

Scrutiny Review: Emergency Planning

A small cross-party task and finish group, chaired by Cllr Ken Wyatt, undertook an in-depth scrutiny review of the service, which is a shared service for Rotherham and Sheffield Councils. Driving factors behind the review had been that the current Emergency Plan was viewed as out of date, having been written in September 2013, plus the turnover of both Members and officers within the Council recently had led to questions about the resilience of the existing plan. During the review Members identified several issues with current arrangements and formulated recommendations covering a range of strategic and operational issues. The review was completed last autumn and reported to Council in October, receiving the formal response from Cabinet and Commissioners in February.

Running in parallel to the scrutiny review had been a refresh of the Emergency Plan (now known as the Major Incident Plan). Progress on implementing the review recommendations, including delivery of Member awareness raising sessions, work to encourage more volunteers, and revisions to Business Continuity arrangements is already being made. It was agreed to schedule regular reviews of the Major Incident Plan in IPSC's future work programmes.

Fire Safety in RMBC High Rise Properties

Officers presented an overview of actions taken in managing fire risk at Beeversleigh and other Council housing following the fire at Grenfell Tower. Members asked a number of questions in relation to safety, covering access to buildings and dry risers for the fire service, building insulation, communication of evacuation/stay put policies with tenants, and provision of customised alarms for people with particular sensory needs. Fire safety in non-Council buildings such as residential care homes or where services such as supported housing were delivered were also discussed. A joint document had been drafted between Housing and Facilities Management on actions to be carried out, with the Senior Leadership Team receiving weekly updates on progress. Members confirmed that Beeversleigh residents were happy with how the Council had responded swiftly to their concerns, with visits from officers and assurance.

Evaluation of the "Time for Action" Enhanced Enforcement Pilot

Following the decision to strengthen enforcement activity on environmental crime and parking, a pilot has been underway since April 2017. The purpose was to test the effectiveness of potential contractual arrangements for a future service. IPSC scrutinised the evaluation report and proposals for a shared service with Doncaster at length, making a number of recommendations, which are summarised below. OSMB endorsed the recommendations at pre-decision scrutiny and recommended to Cabinet that these points should be used to inform negotiations and this was approved.

- * Extending the service to include issuing parking fines
- * Communication plan to promote the initiative borough wide and include clearly identifiable branding
- * Members notified when Enforcement Officers are working in their wards
- * Service provision distributed equally across outlying areas and wards
- * Exploring extension of service provision to private sector areas
- * Contractors undertaking enforcement activity and issuing penalties on behalf of the Council to work to RMBC's code of practice
- * Providing clear, consistent information on the process and what happens when fines are issued
- * Details of the contract covering shared service arrangements to be presented to IPSC
- * Six monthly monitoring and evaluation reports to go to IPSC, including demographic information

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Improving Places Select Commission

Development of a Cultural Strategy

IPSC were supportive of having a Cultural Strategy for Rotherham and the creation of a new external partnership to oversee its development. Members recognised the potential of an overarching strategy for culture, sport and tourism and how it could contribute to economic development and help to attract inward investment. They drew attention to important cultural assets in their own wards and popular annual events across the Borough that raised Rotherham's profile and attracted people who then spent money. Members emphasised the importance of having a strategy covering the entire Borough and all residents, linking in with the vast array of activities in place. It was felt communication, especially marketing/promotion, and making better use of existing assets, could be improved. Early scrutiny involvement was welcomed and IPSC will continue to scrutinise development of the strategy, ensuring it contributes to delivery of strategic priorities.

Review of Neighbourhood Working Update

IPSC discussed and noted a report providing an overview of the work undertaken by the Neighbourhood Working Group in Phase one of the review from May to October 2017. Ward Plans and Profiles have been completed for all wards in the Borough and ward walks, led by officers from the Local Government Association are underway, with reports to follow. The Commission agreed to receive a future update on Phase two and recommended holding an information and sharing best practice day for all Members in 2018.

Dignity plc and RMBC Contract Update

RMBC entered into a 35-year contract with Dignity plc in 2008 for the management of bereavement services across the Borough. Members scrutinised a report on the service in November 2016 as they had various concerns about the service and the contract, whilst acknowledging that a number of improvements had resulted from the arrangements. These issues led to a very comprehensive follow up report covering various aspects of the contract, service and performance management.

IPSC were pleased to learn that a new performance management framework had been developed, including criteria for grounds maintenance, with reporting due to commence in the final quarter of 2017-18 through monthly returns submitted by Dignity. Although Dignity's previous annual report had provided an update in relation to several key aspects of the contract, it did not provide the level of detail required by the Council and they have been asked to produce more in-depth reports from 2018. Options were still being explored for identifying suitable land for burials in Maltby, to improve arrangements for same day or short notice burials, provision of lined graves and community memorial benches. Members had previously emphasised the need for improved dialogue with all stakeholders and welcomed the liaison meetings that will take place between the Council, Dignity and representatives of the Muslim community in Rotherham. It has also been agreed to hold periodic liaison meetings with funeral directors.

Revised "Rotherham MBC Code of Practice for Highway Inspection and Assessment"

RMBC is responsible for maintaining an extensive road network and an effective regime of inspection, assessment, recording and prioritisation of defect repairs is a key part of highway maintenance. In line with new national guidance the proposal is to move to a risk based approach which means determining the scale of the risk presented by a highway defect in order to prioritise the appropriate response. The frequency of road and footway inspections has previously been based upon road categories (A, B, C and unclassified) but under the risk based approach would now take a more holistic view considering factors such as any incidents, extreme weather, complaints about condition and traffic flows. IPSC sought clarification on a number of points and then supported the proposals. In order to scrutinise the impact of the change a future report was asked for incorporating resident satisfaction survey data, identification of any savings and details of any reduction in accidents following the new approach.

Strategic Asset Management and Asset Management Improvement Plan (AMIP)

A presentation set the context on recent changes that have informed the development of the Strategic Assessment function in the Council and Members then scrutinised the performance indicators in the AMIP dashboard. They requested further information on the current reviews of Operational Property and Commercial/Non-operational property, which was provided at a later meeting when a second presentation provided an update and covered the Community Buildings Review. Members asked for Parish Councils to be kept informed through any relevant materials.

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Improving Places Select Commission

Rotherham Town Centre Masterplan

In 2017-18 two presentations outlined proposals and updates for the phased implementation plan for Forge Island, Riverside residential, the Learning Campus and Higher Education Hub, Rotherham Market and Rotherham Interchange. Members were keen to ensure the public realm and the town centre offer, for both leisure and housing, would be attractive to all age groups. They asked for copies of the communication plan and emphasised the importance of taking account of consultation outcomes in the future designs. IPSC also recommended that consideration should be given to developing other town centre plans in the Borough.

Temporary Relocation of Rotherham Town Centre Bus Station on Forge Island

Members sought clarification and reassurance on a number of issues, with a particular focus on passenger safety, effective communication, clear signage, public toilets, access and potential impact for businesses in the town centre. Follow up information and the Communication Plan were provided and data showing the impact on bus operator traveller figures will be reported.

Housing and Homelessness

IPSC leads on scrutiny of the Housing Strategy, related plans and policies, and tenant engagement. Earlier this year a workshop session was held with officers to provide a detailed overview of the current position in Rotherham in relation to housing strategy and key initiatives, through presentations and Member questions. Suggestions to assist with tenant engagement were passed on to management team for consideration. A second session looked specifically at issues around homelessness, covering the Homelessness Prevention Strategy and activities taken to meet its core objectives, Housing Related Support and new legal duties. Financial detail and key statistics on homelessness in Rotherham completed the session. The workshops provided IPSC with a comprehensive local picture and solid understanding to inform their future scrutiny. A summary of other housing-related scrutiny during 2017-18 is outlined below.

♦ Young Tenants Scrutiny Review Action Plan

RotherFed's review considered the engagement of young tenants in Rotherham Council housing, as the 2016 STAR survey showed tenants aged 16-34 were generally more dissatisfied with their landlord's services. IPSC noted progress on the plan and asked for a further progress report in six months when young tenants could be invited to attend. Information from the tenancy workshops was also requested.

♦ Selective Licensing

Following previous scrutiny in 2016-17 the Commission scrutinised a report on the mid-term review of Selective Licensing. Members welcomed the improvements made in the standard of private rented houses in the Selective Licensing areas and were supportive of a report going to Cabinet and Commissioners with options for implementing Selective Licensing in other areas of the Borough. They recommended that work should take place with colleagues in Public Health to identify and include health-related indicators within the Selective Licensing Framework. A report was asked for in relation to unlicensed properties in the current Selective Licensing Scheme and the outcomes of the stakeholder event with landlords, tenants and members of RotherFed to find out their opinions on the Selective Licensing initiative were also requested.

♦ Role of Contractors Fortem and Mears

Following a detailed presentation Members probed more deeply into a number of issues. Their focus was primarily on identification of vulnerable residents by call centre staff; safeguarding referrals; the benefits of sharing information to avoid second visits; targets and performance; and financial stability. Questions were also raised about sub-contracting procedures and use of local businesses and tradespersons, as well as the administration relocation by Fortem and the creation of other employment opportunities through the Northern Support Hub. Members requested the Key Performance Indicator information and for consideration to be given to a member of IPSC being involved in future retendering/commissioning.

♦ Scrutiny Review: Modular Housing (Joint OSMB/IPSC)

This is at an early stage with the scope, terms of reference and identification of witnesses being planned.

For further information contact:

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Our Work Programme 2018-19

Overview and Scrutiny Management Board

- ◆ Budget and Medium Term Financial Strategy
- ◆ Council Plan Performance
- ◆ Commissioning and Contract Management
- ◆ Safer Rotherham Partnership
- ◆ Complaints
- ◆ Revenue Budget Monitoring
- ◆ Energy
- ◆ Poverty
- ◆ Children's Commissioner's Takeover Challenge
- ◆ Pre-decision Scrutiny

Health

- ◆ Adult Social Care Service Development
- ◆ Autism Strategy
- ◆ Public Health
- ◆ Rotherham Integrated Health and Social Care Place Plan
- ◆ Respiratory Services tbc
- ◆ Social and Emotional Mental Health
- ◆ Health and Wellbeing Strategy
- ◆ Carers Strategy Implementation
- ◆ South Yorkshire and Bassetlaw Integrated Care System
- ◆ NHS Trust Quality Accounts

Improving Lives

- ◆ Early Help
- ◆ Special Educational Needs and Disability (SEND)
- ◆ Safeguarding - Children and Adults
- ◆ Domestic Abuse
- ◆ Lifestyle Survey
- ◆ Looked After Children - demand for placements
- ◆ CYPS Performance
- ◆ Monitoring Ofsted inspection outcome action plan
- ◆ School Performance
- ◆ Child Sexual Exploitation - Post Abuse Support

Improving Places

- ◆ Thriving Neighbourhoods
- ◆ Time for Action
- ◆ Dignity - Bereavement Services
- ◆ Cultural Strategy
- ◆ Tenant Involvement
- ◆ Rotherham Town Centre
- ◆ Home to School Transport
- ◆ Modular Housing (Jointly with OSMB)
- ◆ Skills Agenda
- ◆ Asset Management

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Scrutiny Membership 2018-19

Overview and Scrutiny Management Board

Meetings are held on a fortnightly basis on Wednesdays at 11.00am

Cllr Brookes

Cllr Napper

Cllr Cusworth

Cllr Sansome

Cllr Evans

Cllr Short

Cllr Keenan

Cllr Walsh

Cllr Mallinder

Cllr Wyatt



Chair: Councillor Brian Steele

Vice-Chair: Cllr Allen Cowles

Contact: James McLaughlin - Tel: 01709 822477

The Board is supported by three Select Commissions.

Health

Chair:
Cllr Simon Evans

Vice-Chair:
Cllr Peter Short



The commission meets (usually) at 10.00am on Thursdays at 6 weekly intervals.

Cllr Albiston
Cllr Andrews
Cllr Bird
Cllr Cooksey
Cllr R Elliott

Cllr Ellis
Cllr Jarvis
Cllr Keenan
Cllr Marriott
Cllr Rushforth

Cllr Taylor
Cllr Williams
Cllr Wilson

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Improving Lives

Chair:
Cllr Victoria Cusworth

Vice-Chair:
Cllr Amy Brookes



The commission meets (usually) at 5.30pm on Tuesdays at 6 weekly intervals.

Cllr Allcock
Cllr Beaumont
Cllr Clark
Cllr Elliot
Cllr Hague
Cllr Ireland

Cllr Jarvis
Cllr Khan
Cllr Marles
Cllr Marriott
Cllr Pitchley
Cllr Price

Cllr Senior
Cllr Short
Cllr Julie Turner

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Improving Places

Chair:
Cllr Jeanette Mallinder

Vice-Chair:
Cllr Stuart Sansome



The commission meets (usually) at 1.30pm on Thursdays at 6 weekly intervals.

Cllr Atkin
Cllr Buckley
Cllr B Cutts
Cllr Elliot
Cllr Fenwick-Green
Cllr Jepson

Cllr Jones
Cllr Khan
Cllr McNeely
Cllr Reeder
Cllr Sheppard
Cllr Julie Turner

Cllr Vjestica
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Check, Challenge, Change



If you or someone you know needs help to understand or read this document, please contact us:

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Slovak

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Kurdish Sorani

کوردی سورانی
نەگەر تۆ یان کەسێک کە تۆ دەناسی پێویستی بەیارمەتی هەبێت بۆ ئەوەی ئەم بەنگەنامە یە تێیگات یان بێخوێنتەوه،
تکایە پەیوەندیەمان پێوە بکە لەسەر ئەو ژمارە یە سەرەو دا یان بەو نێمەینە.

Arabic

عربي
إذا كنت أنت أو أي شخص تعرفه بحاجة إلى مساعدة لفهم أو قراءة هذه الوثيقة، الرجاء الاتصال على الرقم أعلاه، أو مراسلتنا عبر البريد الإلكتروني

Urdu

اردو
اگر آپ یا آپ کے جاننے والے کسی شخص کو اس دستاویز کو سمجھنے یا پڑھنے کیلئے مدد کی ضرورت ہے تو
برائے مہربانی مندرجہ بالا نمبر پر ہم سے رابطہ کریں یا ہمیں ای میل کریں۔

Farsi

فارسی
اگر جناب عالی یا شخص دیگری که شما او را می شناسید برای خواندن یا فهمیدن این مدارک نیاز به کمک دارد لطفاً یا
ما بوسیله شماره بالا یا ایمیل تماس حاصل فرمایید.

Check, Challenge, Change

Summary Sheet

Name of Committee and Date of Committee Meeting

Council – 25 July 2018

Report Title

Recommendations from Overview and Scrutiny – Spotlight review following the Ofsted Inspection of Adult Community Learning

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

No

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report author(s):

Caroline Webb, Senior Advisor (Scrutiny and Member Development)
01709 822765 or caroline.webb@rotherham.gov.uk

Ward(s) Affected

All

Executive Summary

The scrutiny report (attached as Appendix 1) presents the findings of 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 are clear plans in place to ensure that adult learners have pathways to secure employment or skills training. The conclusions and recommendations made by Members are based on information gathered from the spotlight review and examination of related documentation.

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

Recommendations

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.

List of Appendices Included

Appendix 1 Improving Lives Select Commission: Spotlight review following the Ofsted
Inspection of Adult Community Learning

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 16 May 2018

Cabinet and Commissioners' Decision Making Meeting – 22 October 2018

Council Approval Required

No

Exempt from the Press and Public

No

Overview and Scrutiny Management Board

1.	Date of meeting:	16 May 2018
2.	Title:	Spotlight review following the Ofsted Inspection of Adult Community Learning
3.	Directorate/Agency:	Assistant Chief Executive's Children and Young People's Services

4 Background

- 4.1 This paper outlines the outcomes of the spotlight review following the Ofsted Inspection of Adult Community Learning (ACL) by members of Improving Lives Select Commission.

5 Context

- 5.1 In June 2017, an Ofsted inspection of RMBC Adult and Community Learning provision delivered a judgement *“that the quality of teaching, learning and assessment is now inadequate and the proportion of learners who stay to the end of their course and achieve a qualification is low”*. Delivery of this service has since been transferred from the local authority to Rotherham and North Notts College (RNN).

Of the approximate 1400 learners registered for the 2016/17 academic year, the majority were enrolled on non-accredited courses, which included family learning, with approximately 25% enrolled on courses leading to qualifications, including functional skills or English for speakers of other language. The ACL Ofsted reported concerns about the monitoring of progress and assessment; poor standard of teaching provision and inadequate support and guidance.

- 5.2 It was agreed that a small cross-party working group would be established to examine what actions had been taken to address the issues raised by the Ofsted inspection. In undertaking the review, Members wanted to seek assurance:

- That there was a clear understanding of the issues leading to the inadequate judgement in June 2017;
- That the issues raised in the 2017 Ofsted inspection of Adult and Community Learning have been addressed; and
- That there are clear plans in place to ensure that adult learners have pathways to secure employment or skills training.

- 5.3 The following Members undertook the spotlight review on Tuesday 6th March 2018:

- Cllr Chris Beaumont;
- Cllr Maggi Clark (Chair);
- Cllr Victoria Cusworth.

Cllr Peter Short also contributed to the planning meeting which determined key lines of enquiry for the spotlight review.

- 5.4 The conclusions and recommendations made by Members are based on information gathered during the course of the review and examination of related documentation.

This documentation included:

- Ofsted: Further education and skills inspection report – Rotherham Borough Council (20 -23 June 2017, published 28 July 2017)

- RMBC Corporate Plans 2016 -17 Quarter 1 - 4 Performance Reports
- RMBC Council Plan 2017/18 Quarter 1 – 2 Performance Reports
- RMBC Annual Governance Statement 2016/17

5.5 The review group thanks the following Cabinet Member for Children and Young People's Services and officers for their co-operation with this inquiry.

- Cllr Gordon Watson, Deputy Leader (Lead Member Children and Young People Services)
- Ian Thomas, Strategic Director for Children and Young People Services (CYPS)¹
- Dean Fenton, Head of Service – School Planning, Admissions & Appeals, CYPS
- Aileen Chambers, Head of Service - Early Years and Childcare, CYPS

6 Key Issues

6.1 The Ofsted report flagged areas of concern arising from the previous inspection which had not been addressed in a timely manner. It further identified that quality improvement plans had not been enacted quickly enough and Elected Members had not received clear information about performance. Members sought explanation as to the circumstances behind these issues. Whilst acknowledging that ACL is a small part of CYPS provision overall, in light of previous Council governance failings outlined in the Casey Report², Scrutiny Members wanted to be assured that wider issues around oversight and governance had been addressed.

6.2 Events leading to the inadequate judgement in June 2017:

6.2.1 As context, the Strategic Director reminded Scrutiny Members that from September 2014 onward CYPS had been focussed on addressing the serious and widespread failures identified in the Jay Report and the Ofsted Inspections³. Prioritisation was therefore given to addressing the shortcomings in safeguarding within children's social care and tackling Child Sexual Exploitation, with resources dedicated accordingly. It was acknowledged that assurance from the ACL service about performance had been accepted at 'face value', which in retrospect, did not correlate with supporting data. It was noted that the Ofsted judgement did not raise any safeguarding concerns for the ACL service.

6.2.2 The Strategic Director explained that the delivery of ACL is a non-statutory duty and the local authority has no requirement to provide adult learning courses directly. The provision was comparatively small, with a small in-house team delivering some elements of adult and community learning with the remainder commissioned to be delivered by voluntary and community agencies.

6.2.3 Although under the previous inspection framework, the service had received an Ofsted judgement of "Good" in 2014, concerns had been expressed by senior managers at that time that performance was inconsistent. A notice of concern was issued in 2015 by the Skills Funding Agency (now the Education and Skills Funding Agency) for the ACL service's failure to meet the minimum performance thresholds. As a result of this, significant additional management support was given to the service to increase capacity which resulted in the notice of concern being lifted again in February 2016. However, despite these actions, there were continuing concerns that the improvements were not

¹ Ian Thomas left the Authority in April 2018 to take up a new position.

² Louise Casey CB: Report of Inspection of Rotherham Metropolitan Borough Council (February 2015)

³ Ofsted Inspection of services for children in need of help and protection, children looked after and care leavers and Review of the effectiveness of the Local Safeguarding Children Board (September 2014)

embedding at pace with a further notice of concern issued in spring 2017 which triggered the re-inspection.

6.2.4 Due to additional management intervention, the extent of the issues became apparent in early 2017 (prior to the re-inspection in June 2017). Accelerated action was then taken to address the serious shortcomings that had arisen regarding data analysis; poor supervision of teaching quality; and lack of performance monitoring and risk management. The actions to address poor performance were acknowledged in the Ofsted ACL report however, it was reported that there was not sufficient time for these to embed for Ofsted to evaluate the impact of the interventions.

6.2.5 It was reported to the Scrutiny Members that following management intervention, significant improvements had been made which became evident later in the year (post-inspection). It was noted that the required achievement rate for accredited courses levels had been reached by the end of July 2017 and had been well above the threshold on which the Notice of Concern was issued.

6.2.6 Conclusions

- Scrutiny Members appreciate the candour of the Deputy Leader and officers in their explanation of the circumstances that led to the inadequate judgement.
- From the evidence, it is clear that following the 2014 ACL Ofsted judgement of “Good”, a false assurance was given of service quality. This allowed performance and data concerns which had been highlighted prior to 2014 to remain unresolved which in turn led to poor outcomes for many learners. Despite additional management support to address these issues, performance remained inconsistent.
- Scrutiny Members are assured that robust action was taken to address the decline in service quality and resources were allocated accordingly. This accelerated from March 2017 with increased oversight from the Deputy Leader and it is evident that improvements were made to the service, albeit too late to embed sufficiently in time for the ACL Ofsted inspection.

6.3 How wider issues raised in the 2017 Ofsted inspection of Adult and Community Learning were addressed:

6.3.1 The ACL inspection report highlighted that *“until recently, managers have not given elected members clear information about performance.....This means that council members have been unable to challenge managers or hold them to account for the decline in standards”* (Ofsted, 2017, p5). It was clarified that a Performance Board had been established in March 2017, chaired by Cllr Watson as Lead Member, which provided rigorous challenge to managers for service delivery. From the time line presented to Scrutiny Members, it would appear that the reports to the Performance Board commenced some two years after the first Notice of Concern was issued in March 2015.

6.3.2 Although it is accepted that the Deputy Leader was informed latterly of the serious decline in performance, neither this decline or the inadequate judgement were referred explicitly to any of the Council's Overview and Scrutiny Committees at the time.

6.3.3 The ACL Ofsted inspection report stated that *“Leaders and Managers have not rectified areas for improvement identified at the previous inspection”*. The Scrutiny Members sought guarantees that this was an anomaly and there were rigorous processes in place to address areas of improvement identified in inspections and there was clarity about how these were recorded. Both the Deputy Leader and Strategic Director referred

Scrutiny Members to the recent Ofsted report⁴ which concluded that the local authority *“has taken a systematic and rigorous approach to improvement... Leaders and senior managers have appropriately prioritised the improvement of key service areas... embedding a culture of performance and quality assurance”*. The Deputy Leader gave further assurance that these principles had been applied across the directorate and he had oversight of the inspection schedule and related performance issues across individual services.

6.3.4 The importance of adult learning as a gateway to further skills development or employment opportunities was recognised in the RMBC Corporate Plan 2016-17 and the successor RMBC Council Plan 2017-20, with specific outcomes linked to this activity⁵. Performance was reported on a quarterly basis with reports submitted to Cabinet and in some instances, Overview and Scrutiny Management Board.

The Scrutiny Members reviewed the reports to examine whether the decline in performance was flagged as a risk. It was noted that concerns were reported in the narrative in both the Quarter 3 and 4 Corporate Plan Performance Reports and Quarter 1 and 2 Council Plan Reports, however, it was felt that the performance decline was not signposted sufficiently in the cover reports or scorecards. This also meant that opportunities for wider corporate organisational learning arising from the decline in performance were not fully explored and applied.

6.3.5 It was also noted that the inadequate judgement was reported in the 2016/17 Revised Annual Governance Statement to the Audit Committee. However, this was not reported in the regular reports to the committee on recommendations from external audits and inspections. This appears to be a gap. It is also unclear if the decline in performance and attached risks relating to the reissuing of the Notice of Concern in spring 2017 were raised with the Audit Committee.

6.3.6 Conclusions

- Scrutiny Members are assured that the Deputy Leader had a full understanding of the performance issues from March 2017. However, given that concerns had been raised about inconsistent performance from 2013, it is surprising that this was not flagged earlier to the Cabinet Member or Scrutiny and/or Audit Committee as a risk.
- The Council rightly aspires to high standards of openness and transparency in the way in which it allows for adequate scrutiny by Councillors and responds to inspection outcomes and issues of performance. In addition to consideration by the Cabinet Member, public democratic oversight of inspection outcomes, performance concerns or service failure should also include timely referral to the relevant scrutiny body and/or the Audit Committee.
- It is accepted that the decline in performance was detailed in the narrative of both the Corporate Plan and Council Plan reports from February 2017 onward. However, in order for Members to hold officers to account on an informed basis, it is important that critical performance issues are also signposted more explicitly in cover reports and performance scorecards.
- The organisational learning arising from areas of concern should be reviewed and

⁴ Ofsted Re-inspection of services for children in need of help and protection, children looked after and care leavers (January 2018)

⁵ Outcome: 4C. Adults supported to access learning improving their chances of securing or retaining employment Improve participation, performance and outcomes of people aged 19+ accessing Council funded and RMBC delivered adult learning provision.

- Increase the number of people aged 19+ supported through a learning programme
- Increase the number of learners progressing into further learning, employment and/or volunteering

reported on by the Corporate Performance, Intelligence and Improvement Team on a timely basis to provide assurance that improvements and learning are being applied.

6.4 What pathways are in place for adult learners to secure employment or skills training?

- 6.4.1 Provision for ACL has been transferred to Rotherham and North Notts College (RNN) from the start of the 2017/18 academic year and the Education and Skills Funding Agency confirmed that RNN will be allocated the funding previously awarded to the local authority. This ensured that whilst the provider had changed, the funding was maintained in Rotherham for local adults.
- 6.4.2 It was reported that as a large college provider, RNN could manage the delivery and quality assurance requirements that the Council had failed to deliver consistently in the past. It was felt that this would address the significant decline in the standards of teaching and learning and in learners' outcomes which were reported in the Ofsted judgement. The Deputy Leader and Strategic Director were confident in RNN as a strategic partner and its capacity to deliver a programme that would focus on engagement, first steps learning and targeting Rotherham's most vulnerable groups and communities. It was asserted that this would support the Council aim to deliver family learning, digital inclusion and community cohesion training and workshops. Some of this activity had been sub-contracted to the Creative Learning Centre within the Local Authority to deliver for the 2017/18 academic year.
- 6.4.3 It was reported that negotiations between the Business Growth Board, Health and Well Being Board and the newly evolving Local Integration Board would need to take place in order to influence the ongoing programme offered by RNN so it meets the needs of Rotherham's communities. In order to ensure that there is good governance of these arrangements, given there are potentially three reporting routes, it was felt that further clarification was required on how RNN's delivery of ACL links to the agreed Council priorities around the employment and skills agenda (as outlined in the Council Plan) and how these are reported to Members.
- 6.4.4 It was also reported that Government proposals for adult education delivery would lead to funding being devolved to combined authorities (including Sheffield City Region Combined Authority) to determine how this is to be allocated in local areas. The Department for Education has signalled that this will take place from 2019.

6.4.5 Conclusions

- Scrutiny Members are assured that the transfer of provision to RNN means that the delivery of ACL will be on a more sustainable footing, with proper oversight of teaching standards and advice and guidance. This will lead to better outcomes for adult learners and address the concerns raised in the ACL Ofsted report about teaching, learning and assessment.
- Although the transfer of provision is supported, there is a lack of clarity about how RNN will deliver a programme which links to Council priorities around the skills and employment agenda, (targeting Rotherham's most vulnerable groups and communities) and how this is reported to Members.
- Whilst it is accepted that the Council is no longer responsible for the delivery of this provision, it is important that the Council maximises its influence in this key area, particularly in light of the devolution of adult education delivery to the Sheffield City Region Combined Authority.

7 Recommendations

- 7.1 That areas of concern raised in external inspections or reviews are referred to the relevant scrutiny commission on a timely basis, alongside a plan detailing what action is proposed to address identified areas of improvement;
- 7.2 That the Corporate Performance, Intelligence and Improvement Team ensures that learning from the reporting of areas of concern and in particular the issues arising from this spotlight review, are applied to inform how performance management information is shared and acted upon;
- 7.3 That future performance reports and scorecards should signpost Members clearly to areas of declining performance and actions taken to address these;
- 7.4 That further details are provided to the Improving Places Select Commission to clarify how Council priorities linked to the skills agenda and community engagement will be delivered by RNN and how outcomes will be reported to Members;
- 7.5 That the Council's representatives on the Sheffield City Region Combined Authority Scrutiny Panel are asked to keep oversight of the devolution of adult education provision to ensure good outcomes for Rotherham learners.

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Summary Sheet

Name of Committee and Date of Committee Meeting

Council – 25 July 2018

Report Title

Children's Commissioner Takeover Challenge Scrutiny Review: Work Experience

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

No

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

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Ward(s) Affected

All

Executive Summary

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

Recommendations

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.

List of Appendices Included

Appendix 1 Report - Children's Commissioner Takeover Challenge Scrutiny Review: Work Experience

Background Papers

As listed in the review report.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 18 July 2018

Council Approval Required

No

Exempt from the Press and Public

No

Children's Commissioner Takeover Challenge Scrutiny Review: Work Experience

1. Recommendations

- 1.1 That the report and recommendations in respect of the review of Work Experience be noted.
- 1.2 That the response of Cabinet be reported back to Overview and Scrutiny Management Board and Rotherham Youth Cabinet.

2. Background

- 2.1 As part of RMBC's continuing commitment to the Children's Commissioner's Takeover Challenge, each year the Overview and Scrutiny Management Board (OSMB) supports Rotherham Youth Cabinet (RYC) in undertaking a focused piece of work on a topic chosen by the young people. The takeover challenge is a national initiative where children and young people take over an organisation or meeting and assume management/leadership roles.
- 2.2 RYC chose work experience as the theme for this year's takeover challenge, as it is one of the key priorities in their manifesto for 2018, emerging as the key issue in the UK Youth Parliament "Make Your Mark" results for Rotherham.

3. Key Issues

- 3.1 Discussion on current and future provision of work experience is timely in light of recent statutory guidance on careers guidance and access for secondary education providers, published in January 2018 to support the government's Careers Strategy.
- 3.2 Since the compulsory Trident work experience programme ended and government funding was withdrawn, there has been no uniform approach across Rotherham. Mainstream schools focus on academic qualifications first and foremost and although opportunities for work experience do exist these are not universally available, vary in quality and not always well publicised.
- 3.3 A partnership approach is clearly needed to improve the offer for young people, and there are policy and logistical barriers to overcome, but the review generated a number of positive ideas that could be progressed.

4. Options considered and recommended proposal

- 4.1 The review group formulated a number of recommendations, as set out on pages 11 and 12 of Appendix 1, which were endorsed by the Overview and Management Board.. In summary these address improvements to:

- access to opportunities	- quality assurance
- publicity	- multi-sectorial opportunities
- support for students with SEND	- meaningful experiences
- sharing good practice	- equality

5. Consultation

- 5.1 RYC consulted young people of different ages and from various schools through surveys to ascertain their experiences and views on work experience.

6. Timetable and Accountability for Implementing this Decision

- 6.1 It is anticipated the formal response to the recommendations will be reported back in the autumn.

7. Financial and Procurement Implications

- 7.1 Any financial or procurement implications will be considered in developing the response from Cabinet and Commissioners.

8. Legal Implications

- 8.1 None arising directly from this report but schools have to comply with recent statutory guidance and duties with regard to careers guidance.

9. Human Resources Implications

- 9.1 There are no human resources implications.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 The intention of the review was to impact positively on young people, through enhancing opportunities for work experience to develop skills and practical experience.

11. Equalities and Human Rights Implications

- 11.1 The recommendations aim to bring about a positive contribution to promoting equality through improving the offer for all young people. Specific needs of students with mental health needs and/or Special Educational Needs and Disability, in both mainstream and special schools, need to be taken into account in planning activity.

12. Implications for Partners and Other Directorates

- 12.1 Improving access to quality work experience opportunities will necessitate a collective approach from the Council, all schools and other partners.

13. Risks and Mitigation

- 13.1 None at this stage, bar schools having to comply with statutory guidance.

14. Accountable Officer(s)

James McLaughlin, Head of Democratic Services and Statutory Scrutiny Officer

This report is published on the Council's website or can be found at:-

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

Children's Commissioner's Takeover Challenge Scrutiny Review: Work Experience



April 2018

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1. Why Rotherham Youth Cabinet wanted to undertake this review

The UK Youth Parliament¹ is a body of elected young people who work on national campaigns across the country. An annual ballot called “Make Your Mark” lists ten issues that young people aged 11-18 vote on to determine these campaigns. Work experience was debated in the House of Commons but not chosen for one of the national campaigns. However, as it was a top priority in Rotherham, receiving 1166 votes from the 7000 young people who took part, Rotherham Youth Cabinet (RYC) included work experience as one of the three key aims in their 2018 manifesto:

“We want to increase opportunities for young people to take part in positive work experience and highlight where they can find existing work experience and volunteering opportunities.”

They also chose work experience as the theme for the Children’s Commissioner’s Takeover Challenge² (CCTOC) which is an annual event that RMBC has supported in its various guises since 2007 when it was known as the 11 Million Takeover Day. The idea is that:

“It puts children and young people in decision-making positions and encourages organisations and businesses to hear their views. Children gain an insight into the adult world and organisations benefit from a fresh perspective about their work.”

(Children’s Commissioner for England, 2015)

2. Method

A spotlight scrutiny review was undertaken by a group of young people from RYC on 25 April 2018 when they took over an Overview and Scrutiny Management Board (OSMB) meeting. Emelia Ashton gave a short presentation to set the context then a detailed question and answer session ensued, chaired by Toni Paxford. RYC explored the current position and key issues regarding provision of work experience and provided constructive challenge to officers, schools, partners and Cabinet Members.

Prior to this RYC had carried out primary research with young people through a short survey to ascertain their experiences and views of work experience, receiving around 80 replies. Respondents were different ages and from several schools to ensure a full picture for Rotherham. Appendix A sets out the survey questions and summary of responses and this work informed ten initial recommendations, also included in the appendix. Information about the school Enterprise Advisers and Gatsby Benchmarks (see section 3.0 and Appendix B) was also provided for RYC at one of their scheduled meetings.

A planning meeting took place to discuss the outline for the review and determine which partner agencies RYC wished to invite as witnesses. The young people devised questions based on their key lines of enquiry and reflecting their research findings. RYC was supported in this preparatory work by members of OSMB, namely the Chair, Cllr Steele and Cllrs Cusworth, Evans and Sheppard. The Early Help and Family Engagement Team facilitated this work with support from Scrutiny Services.

RYC and Elected Members would like to thank everyone who attended for their participation in this review and for their contributions to the debate and also those who were unable to attend but submitted written information. It was pleasing to have representation from partners and schools as well as the Council to support the Takeover Challenge and engage with young people on this important issue.

3. Context

3.1 Careers Guidance and Gatsby Benchmarks

Discussion on current and future provision of work experience is timely in light of new statutory guidance on careers guidance and access, published in January 2018 to support the government's Careers Strategy. Secondary education providers are expected to use the Gatsby Benchmarks (see Appendix B) to develop and improve their careers provision by 2020. The new statutory guidance is structured around these eight benchmarks with information on what schools need to do to meet each of them, although the benchmarks in themselves are not a statutory framework.

Three of the benchmarks were particularly relevant to the issues the young people wished to discuss in this review.

- Benchmark 6 - "Experiences of workplaces"
 - work visits, work shadowing and/or work experience are mentioned as potential means of gaining experience of workplaces and considering future career options.
 - one "experience of a workplace" by 16 and another by 18, in addition to any part time jobs
- Benchmark 5 - "Encounters with employers and employees"
 - this specifically mentions learning about skills valued in the workplace. Suggested activities are through visiting speakers, mentoring and enterprise schemes.
- Benchmark 3 - "Addressing the needs of each student"
 - a personalised approach, ensuring equality is considered for all students, including appropriate careers guidance and support for students with Special Educational Needs and Disability (SEND).

3.2 Careers and Enterprise

Linked to the careers strategy and guidance, the Careers and Enterprise Company (CEC) is funded by the government to help transform careers education and improve links between employers and schools. Rotherham has a Careers and Enterprise Coordinator whose role is to coordinate the Enterprise Adviser Network programme that works with schools to develop their careers programmes by working towards the Gatsby Benchmarks. In the programme volunteer business leaders (Enterprise Advisers) are also matched to local schools to provide young people with the encounters with employers and the workplace, to help prepare for the world of work.

3.3 Skills and Employability

Under the auspices of the Business Growth Board, which is part of the Rotherham Together Partnership, a new Skills and Employability Strategy/Plan is being developed covering all ages. The skills element is aimed at ensuring Rotherham has the right people with the right skills, the high level skills. Employability is focused on certain age groups or specific cohorts in the population who lack employment. The plan will include engagement with young people and opportunities to go into the workplace, including work experience.

4. Findings

4.1 Current work experience opportunities

Since the compulsory Trident work experience programme ended, which used to provide young people with work placements for one to three weeks, there has been no uniform approach across Rotherham. Several factors lie behind this and will be outlined in this section of the report. Opportunities for work experience do exist but this offer is not universally available, varies in quality and is not always well publicised, as shown by the survey results in Appendix A. Some young people source their own opportunity either through personal connections or by contacting employers and businesses directly. At least one school expects young people to find their own work experience placement during the school holidays. It is difficult to have a full picture of the current position but recent activity includes:

- Five of Rotherham's Special Schools have taken part in step up to employment taster sessions, gaining valuable work experience in catering, retail, gardening, caretaking, component production and office work. From this, additional work experience sessions were available and as at March 2018, 21 students were accessing the Addison and AD-PRO employment training facilities.
- RMBC offered work experience opportunities to four schools, four special schools and Rotherham College in the 2017-18 academic year. These covered business administration, ICT, grounds maintenance, libraries, catering and transport. An additional extended placement in housing was taken up by one student who was thinking of applying for an apprenticeship to develop experience and confidence. Early Help have also had two school students on work experience. RMBC managers will also carry out practice mock interviews with students.
- Supply staff at Newman School include young people in Year 13 at school or university students between semesters and they do get paid.
- Newman Community School have students working in the café at Ulley Country Park serving teas and developing their confidence and communication skills.

There was discussion about whether schools were wary of releasing pupils to do something that was more vocational, in case it did impact on their academic work. Schools are driven by a narrower academic curriculum than previously and have to focus on academic qualifications A*-C. Oakwood High School had closed its vocational learning centre because the qualifications and experiences delivered no longer added value. Young people need certain qualifications to compete toe-to-toe with children from other schools in other areas. Employers look for experience and skills, not just a person's academic qualifications, although these are what usually lead to an interview initially.

4.2 Funding

National policy changed around six years ago, as until then every young person in the country had been entitled to work experience funded through the government. That money was withdrawn, resulting in a more individualised approach by schools or academy groups as they determine their priorities and how to spend their budget. Some schools have paid for a local service to arrange work experience and carry out necessary insurance and health and safety checks for students as it is a big undertaking to arrange.

4.3 Quality

People's views of the usefulness of their own work experience (if any) varied but there was agreement that it should be a valuable experience and that it was important to raise the aspirations of young people. In addition to putting learning into practice RYC stressed that the experience should involve getting an insight into a job or sector to see if it is one they were interested in as a career.

One witness said: "Work experience has the potential to help young people understand the value of the skills they are learning if they were important in their placement role. When you enter the workplace you begin to appreciate the great value of knowledge such as mathematics, which if you were like me seemed a little pointless while I was at school."

Schools highlighted the practical difficulties in finding sufficient quality placements on Trident for an entire year group when all schools wanted them at the same time at the end of the year. This reflects finite employer capacity to offer and resource meaningful work experience placements, especially for smaller businesses.

Suggestion - A rolling programme would relieve the pressure on trying to find many placements at the same time in the future.

Teachers have also had to deal with students who were having a poor experience on Trident and wanted to end their placement early. Schools have been reticent about offering work experience as it has been so patchy and they do not wish to make students go into a poor experience or compel them to do something they do not really want to do. That said, it was felt that if quality could be improved, if young people could elect to do it and if it could be centrally organised, schools would be interested. From an employer perspective, businesses wish to be involved and would be keen to develop better placements and increase work readiness.

Quality links in with expectations and at present there is nothing that stipulates what is supposed to be delivered through work experience for either pre-16 or 16+ students, so this needs discussion between all parties to develop a consensus around what could be delivered. RYC mentioned the importance of quality control to ensure consistency within a placement over time and high standards across all sectors/industries. Sharing good practice between employers and from school to school was highlighted to raise quality.

4.4 Opportunities for students with Special Educational Needs and Disability (SEND)

As only 7% of young people and adults with a learning disability go into full time work, young people at Newman School have very little chance of going into full time employment, according to the statistics, therefore work experience and work engagement is essential. For the special needs sector, without good work experience as part of overall delivery, in both mainstream and special schools, that 7% will not improve. The young people will not have the skill-set and employers will not easily understand what needs the young people have and how easy it is in many cases to adapt. When everybody did Trident young people with special needs did not find it easy to obtain a work placement because these were taken up by mainstream schools, so that scheme finishing means there is now quite a lot available, which is a positive for the special needs sector.

In contrast with mainstream schools, special schools do not have the emphasis on examination results, although they do have to have data and show progress. What they

are required to do is embed special needs in the curriculum and what is embedded in Newman's curriculum are all the things people would like to see everywhere else. For example, besides work experience the school has a link with Whiston Grange older people's home and the young people talk to the residents there and receive feedback and both sides get something out of it which is the crucial part.

A positive example was given for another special school where in 35 years not one single person had gone from the school into paid employment. Then in three years, seven people entered full time employment as a result of quality work experience that was fundamentally part of the curriculum and the curriculum itself had been integral in the lead up to the work experience. They had no academic qualifications and the employer changed their rules nationally and said entry level maths and English was no longer needed and they would accept the work experience those young people had undertaken as validation for what they did. The young people added value to the workplace and helped to have a better work culture. Prior to the work experience, other activities had helped them become work ready including greater self-confidence and skills, especially communication skills, gained from doing the Duke of Edinburgh award.

Another important issue is parental expectations for their children, based on what they may have been told about their child by doctors when the child was very small. They may tend to overprotect their young people and the idea of going into employment when they do not necessarily have to may be a problem. This issue is easier in a special school but work is needed with schools and clubs in the mainstream to make sure special needs factors are linked in. There remains work to do with employers regarding special needs and disability and it is not just about ramps but rather ways of working. The example above shows you can change things, including the culture, but it takes time.

The model in Sweden was outlined where they have a completely different process; all the special schools are attached to mainstream schools and to employers. Each employer has a duty to take people on work experience in the local area and they have integrated the special needs sector. Anybody who wanted a job was given one but it is a managed job and the skills work was done in advance with people. At the place visited 100% of people were in a job, which contrasts significantly with 7% in the UK.

4.5 Volunteering

In their manifesto aim RYC wanted to highlight where people could find volunteering opportunities as well as work experience. It is sometimes overlooked that the voluntary and community sector (VCS) is a large and diverse sector and also a large-scale employer with some really well paid jobs and opportunities. Volunteering is viewed as a good way to break into the sector as it can be difficult without having done so. It is an opportunity to develop skills or work on specific projects in a supported environment and to get a reference, which can all be invaluable in seeking employment or for applying for university. More details of the volunteer programme co-ordinated by Voluntary Action Rotherham (VAR) are included in section 4.8.

4.6 Other opportunities

In addition to volunteering, Duke of Edinburgh award or opportunities arranged through school or individually, there are other ways of developing skills and trying new things, including part time work. Some will depend on the willingness and/or capacity of the young person, balanced against other commitments, to do things in their own time. For

example, young people may be a young carer or be caring for younger siblings during school holidays or outside the school day.

- National Citizenship Service
Every summer this provides an opportunity for Year 11 people to take part in volunteering activities and team building.

Suggestion - To explore whether some of this money could be separated off into more of an employment strand and there are organisations that could assist with this.

- Summer Academy
The work-wise foundation runs an annual summer camp offering work experience to 50-60 young people a year. Promotion is through schools, but it is organised directly with families and take up is good, but it is small scale.
- Get up to Speed with STEM³
This big annual event held at Magna is an opportunity to meet employers and education providers from STEM (Science, Technology, Engineering and Manufacturing) industries to show young people what the opportunities are, broadening people's horizons. Some people working at the show have attended in previous years and obtained jobs as a result.

Disappointingly, especially with the emphasis in the Gatsby Benchmarks on STEM, in 2018 only the college and six Rotherham schools (including Oakwood) attended, compared with most schools from Sheffield, despite extensive publicity well in advance, which seems a missed opportunity.

- Local Employment Advisory Forum (LEAF) Job and Careers Fair
This is another annual event providing young people with the chance to speak with over 65 exhibitors including local employers and apprenticeship and learning providers. Again the number of schools in attendance declined in 2017, with schools citing transporting young people to the event as a barrier.
- Gig Buddies
Although based in London this initiative is something that could be considered. Young people aged 17-19 take other young people who have special needs to gigs, concerts or cinemas etc. It is generally unpaid but builds up self-awareness and communication skills. Such experiences break down not only the work experience barrier but the barrier between mainstream and special and between young people with special needs and those without.
- School activities
There was a view that schools could do more to link and relate other school activities more explicitly to the world of work. One example for Oakwood School was their application and recruitment process for head boy, head girl, prefects and house captains which mirrored the job application process for working at the school.

4.7 Equality of access and opportunity

Views were quite polarised over whether work experience should be fully organised through schools or whether young people should be encouraged to find their own. Some favoured young people showing initiative and being proactive and highlighted that this

would be valued by employers. Others were more concerned about having opportunities available to all young people, so no-one was excluded, as not all young people would have the confidence and personal contacts to find a placement, which could put them at a disadvantage. Sectors such as the media were considered difficult to enter as this is often based on internships and people's connections.

Equality is an important issue for RYC in terms of students with SEND or mental health needs having the same opportunities to access work experience. This includes students in special schools and mainstream schools. Many employers are not used to working with or employing disabled people or understanding the social model of disability. A Department of Work and Pensions programme focused on accessibility and looked at different jobs, working with employers to break those jobs down and consider how they could be reorganised so they could be done by someone with a specific requirement or adaptation. The job still got done but was performed in a different way and that approach is also worth considering for work experience. It related mainly to physical disability, but parallels may be drawn with the changes to requirements made by the employer mentioned above for people with learning disability. A positive example was also given of a placement for a person with autism that led to an apprenticeship as the employer welcomed the qualities of focus and dedication brought by the young person.

4.8 Planning

4.8.1 Preparation in advance

This emerged as one of the key factors in having a useful and good quality work placement or work encounter and being able to match up what the young person and the employer both wished to get from it. It is probably a four-way process requiring all parties to engage fully to maximise the experience:

- employer to prepare for the placement and spend time doing that, including with the person who will look after the young person
- school to prepare students before they go to work experience, including discussing any concerns they might have, and to speak to them afterwards and make sure they understand what they got from it
- obligation on the young person to really buy into it and turn up
- parents/carers to be supportive of the young person having that experience

Preparation would also need to include taking account of any particular needs the young person has such mental health or anxiety issues, which might preclude them from participating in work experience or large group talks. This would mean having the right support so they feel at ease and picking the right employer with whom to place them.

There are many employers who would like to take someone on work experience but do not know where to start or what is expected of them. Small businesses in particular are busy doing the business, so a big part is the preparation of the employer, for example through the "Be Prepared" course. Employers would also welcome clear suggestions as to what young people would like to do and be able to do.

Managing young people's expectations from work experience, particularly those working in engineering, is an issue as you cannot put them on the shop floor in a dangerous environment working on a machine. This means they might spend time shadowing and observing rather than doing, so it is important to help the employer put a good plan

together for that young person to get a quality work experience. In addition to the experience of a particular job young people also experience the general world of work and doing the menial tasks as well as really exciting jobs.

Suggestion - Work with a group of employers to develop their potential offer for work experience, implement the schemes and if successful they could be re-used in subsequent years with a different group of young people. The offer could improve from year to year as more employers became skilled at providing work experience.

4.8.2 Voluntary Action Rotherham's approach to volunteering

VAR has assumed the job of providing that brokerage service for people seeking volunteering opportunities. They provide a menu of available opportunities, located all in one place, from which people may choose something that is right for them. People can call in to VAR or apply on line, so it is accessible. VAR also work with the VCS organisations to make sure they identify what the voluntary role looks like before someone is placed in that role. Key tasks are identified in advance so they are clear what they need somebody to come in and do to help the organisation, which should help to make the experience meaningful. Further work is necessary with some VCS partners to increase their offer and make sure plenty of opportunities exist for people who are in school and still studying, including under 16s. Nevertheless plenty of volunteering opportunities are out there.

People apply to the VCS organisation as they would for a job and are taken through an application process with a conversation before embarking on any tasks. To make it more meaningful, perhaps the approach to work experience should be to look at what both sides can offer, rather than looking at it as we have a work placement for two to three weeks and this is what we want people to do.

4.9 Publicising opportunities

Although work experience was not offered by all schools, young people did want to know what was available and where, if they wanted to be proactive and look for placements. They wondered whether schools could also advertise any summer holiday opportunities.

From a business point of view there were no reasons why a scheme could not operate in school holidays if it was backed by employers and schools. Connections between businesses across the Sheffield City Region may also help to identify opportunities by referring people on, particularly to a different area.

Publicity for events such as Get up to Speed with STEM and LEAF also needs to go to parents and carers as well as schools and students to maximise opportunities for young people to engage with employers and explore learning and career options.

Suggestion - Organisations receptive to offering work experience or summer opportunities could be added to a directory or database with opportunities advertised on an online platform and links sent to schools.

4.10 Timing

This proved to be another divisive issue, with mixed views on whether or not work experience should only be in term time and during the school day, as that time was planned for by families and carers with no competing demands for the young person. Set

against that was concern over losing teaching and lesson time whilst on placement. Other options would be activities in school holidays, at weekends, after school, or half and half with a week in term-time and a week in the school holidays, such as around Easter.

The other consideration is which year group would be the best to focus on for work experience as in the past it has tended to be in years 9 and 10, but this might be too early now many young people stay in education for much longer.

Suggestion – One way forward that would be more flexible and person-centred could be to consider more substantial work experience packages over a period of time between the ages of 15 and 18 that might be more suited to what a young person needed at a given moment, rather than having to work to a specific timescale.

4.11 Barriers

Communication is fundamental to removing barriers by making sure employers know what is expected of them; ensuring students and schools understand what is possible from different employers; and then following up afterwards to make sure things have been done right at that whole system level. Barriers such as caring and family responsibilities have already been mentioned but a couple of other practical issues also arose in the discussion.

Financial - Expenses and especially costs of public transport to travel to and from workplaces were cited as a barrier for young people. For some students this led them to prioritise a placement within walking distance over one in an industry or sector they were really interested in as a career. Some employers do reimburse travel costs and bursaries, donations and Access to Work provide support for young people who may need financial or other support. There might be qualifying conditions but Careers Advisers would be able to advise students.

Clothes - One practical point is an expectation around what young people will wear on work experience, as at school they are usually dressed in a standard uniform, and young people may have concerns about how they are perceived.

4.12 Meeting the Gatsby Benchmarks

With regard to benchmark 6 it was reiterated that this did not only mean work experience but other “experiences of workplaces” and it was about the strength of an experience that was related to work rather than a work experience per se. A few years ago all secondary schools used to receive a ring fenced grant for enterprise education and in some schools that work is still embedded in the curriculum. Where enterprise education and business skills are taught in the classroom, this will contribute to meeting this benchmark without necessarily having to provide work experience, as young people would develop the practical work skills sought by employers.

Participation in the Enterprise Adviser Network programme is not obligatory but in Rotherham two colleges and 20 schools, 15 secondary and five special, are involved and working towards the benchmarks. 20+ leaders from local businesses across a range of sectors have committed to work with them as Enterprise Advisers. No information was available about how the other two schools plan to comply with the guidance and duties.

Although it is still fairly early days, the Enterprise Advisers have expressed a general concern about the time made available for them by some schools to work with the

students, in particular short 20 minute time slots and being on a rather ad hoc basis, suggesting a requirement for more structure and clearer timetabling. There may be some scope to link in with personal, social, health and economic (PHSE) education under the economic workstream. The Careers and Enterprise Coordinator had also asked members of RYC if they knew who their Enterprise Advisers or Careers Advisers were in school and most did not, showing the need for more information and publicity.

Rotherham along with Sheffield and Barnsley and other interested local authorities are trying to bid for central government money to support schools in trying to meet these benchmarks. There is a lot of onus on schools and they have the new careers guidance to meet but no additional money to do this. Although the bid is not strictly work experience it is about meaningful engagement with employers. In South Yorkshire we are slightly above the UK average with nearly 40% of schools managing to achieve on benchmark 6. Ofsted released new guidance in March for schools and say they will be looking at how well schools prepare pupils and students for their next step after school, with a focus on the impact and quality of what they do around careers.

At the moment it seems to be a case of academic experience versus enterprise experience but one view was that perhaps work experience/experience with employers should just be positioned as part of someone's education, not perceived as something that is vocational and separate to the academic work. Employers also support the notion of relating every single lesson to the world of work, enabling people to make links between their learning and its application in their future career, linking in with benchmark 4.

4.13 National policies

As mentioned above, the government withdrew funding for work experience several years ago but has introduced new statutory guidance and duties for schools without any additional funding, at a time when school budgets are shrinking in real terms. Employers refer to unfilled job vacancies, skills gaps and the general lack of work readiness of young people, whether they are entering the labour market from school, college or university. Mainstream schools have a very strong emphasis on academic qualifications as this has been prioritised by Ofsted and as a result focus resources on their “core business” of teaching and learning. Overall, this indicates that economic strategy, education and skills policies are not fully joined up nationally and this then impacts on funding at local level.

Suggestion – RYC to write to the appropriate Minister to explain how government policy at this time is not always helping partners to come together to deliver the best possible things for children and young people at a local level.

5. Conclusions

It was evident that the organisations involved in the review had differing perspectives on work experience. Nevertheless, there was broad agreement that to be meaningful for both young people and employers a partnership approach was needed, to ensure both quality and equality of opportunity for all children and young people. There are practical and logistical barriers to overcome and it will be difficult to produce a new large-scale offer in the short term without additional funding.

Good preparation in advance of a workplace encounter or work experience, by the employer, school and young person, emerged as a key issue so all were clear what they wanted and what they could bring. In its approach to the volunteering programme VAR has

already adopted many of the practices discussed. There is scope to learn from this and to explore a wider role linking in with schools and thinking about volunteering opportunities for under 16s. It was clear volunteering was a good way to develop skills and experience with easy access to the menu of opportunities.

A lack of coordination in government policy on education, economic strategy and the skills agenda was having an impact on what could be achieved locally by partners. In mainstream schools there is still a very strong focus on academic qualifications and a narrow curriculum. Special schools have more flexibility and are engaging positively in work experience to develop skills and confidence in young people to try and address the employment gap for people with learning disability. Schools are working towards the Gatsby Benchmarks and the majority are participating in the Enterprise Adviser Network programme although this is not yet fully embedded.

Opinions were split on the respective merits of young people being proactive and sourcing their own work experience opportunities compared to having opportunities organised for all young people. Employers welcome young people showing initiative and being proactive but there was concern that less confident students or ones without wider contacts and personal connections would be disadvantaged.

Currently time out of school on work experience seems to be perceived by some schools, and also some students, in terms of the opportunity cost, of missing teaching and classroom learning, rather than thinking that it is part of their wider overall education. This reflects both some of the negative experiences from past programmes and the core driver of academic qualifications. Ofsted guidance released in March 2018 includes looking at how schools prepare students for life after school which will be another consideration for schools to take into account in their planning.

As partners listened to and reflected on the answers to the questions during the takeover challenge as the meeting progressed, this triggered a number of positive ideas (shown in *italics* in the text) that hopefully will be taken forward by partners in responding to RYC's recommendations.

6. Recommendations

- 1 That RMBC, schools and partners work together to develop an improved offer of work experience, interaction with employers and volunteering opportunities for all young people from 2019. This should take account of the following recommendations made by Rotherham Youth Cabinet:-
 - a) Have a system so that all young people can have work experience.
 - b) Make work experience count.
 - c) Have quality control for work experience offered – ensuring consistency and high standards.
 - d) Publicise available work experience in schools.
 - e) All schools to deliver work experience.
 - f) Wider sector of jobs included in work experience opportunities.
 - g) Have more support for young people with disabilities.
 - h) Support for young people doing work experience including expenses if needed.
 - i) Carry out regular research to ensure young people are not forgotten about – ensuring opportunities regardless of demographics or background.
 - j) Share positive practice from school-to-school and between employers.

- 2 That any specific needs of young people with mental health needs and/or special educational needs and disability who are in mainstream schools are taken into account in developing the offer, as well as those of young people in special schools.
- 3 That from 2019 onwards Rotherham Youth Cabinet receive updates twice a year from schools regarding progress with the new offer.

7. Thanks

Councillors Alam, Beck, Hoddinott, Watson and Yasseen

RMBC - Sarah Bellamy, Ewan Cumming, Sandra Gabriel, Sharon Kemp, Shokat Lal, Jenny Lawless, Simeon Leach, James McLaughlin, Tim O'Connell and Tracey Priestley.

John Barber - The work-wise Foundation

Ian Goodall - Business Growth Board

Kerry McGrath - Voluntary Action Rotherham

David Naisbitt - Oakwood High School and Schools Forum

Edward Shaw - Don Catchment Rivers Trust

Paul Silvester - Newman Community Special School

Thanks also to other members of RYC who were involved in the preparation for the spotlight review.

8. Background papers and references

- Minutes from OSMB Children's Commissioner's Takeover Challenge 25/04/18
- Rotherham Youth Cabinet Manifesto 2018
- "Careers guidance and access for education and training providers"
Statutory guidance for governing bodies, school leaders and school staff
Department of Education, January 2018
- "Good Career Guidance", Gatsby Charitable Foundation, 2014

References

1 - Make Your Mark

<http://www.ukyouthparliament.org.uk/makeyourmark/>

2 - Children's Commissioner's Takeover Challenge

<http://www.childrenscommissioner.gov.uk/learn-more/takeover-challenge>

3 – Get up to speed with STEM

<https://www.getuptospeed.org.uk/home>

The next event is taking place on 27th March 2019 at Magna.

Contact

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Appendix A

Work Experience Report

Survey for Young People

In order to evaluate the true picture with regards to work experience in Rotherham we conducted a survey to find out from young people what their experiences are of work experience. Respondents were a range of ages and from a variety of schools to ensure we got a full picture of the occurrences in Rotherham. The following questions were asked with approximately 80 responses received:

1) Have you had work experience?

There was an even split of respondents who had had work experience and who hadn't had work experience, showing the inconsistency in Rotherham with regards to the issue.

2) How good was your work experience if you've experienced it (5 being the best) and why?

The 50% who had work experience responded to this question and the responses were varied. 25% said their work experience was rated a 1, 25% said it was 3, and 50% said it was rated as a 4. Again this shows the inconsistency of work experience delivered to young people.

3) Does your school offer work experience?

Again when responding to this question the answers were varied. 25% of young people said their school offered work experience, 38% said their school didn't, and 38% said they didn't know if their school did offer it. This highlights a couple of issues which need to be addressed.

4) What work experience opportunities are available to you and how was your work experience arranged?

One young person responded: "nothing as I am too young", another said a "teacher helper and through school", whilst another said that no support was offered through school they "organised (their) own work experience". The most detailed answer was work experience was available at many different animal related work places and a form was filled in to indicate what sort of work experience you wanted and a work placement officer would pick a place for you to go to". This compared to the countless N/A replies was very poignant and sets standards for other schools to follow.

5) In the ideal situation what would you like your work experience to consist of?

All the responses to this question were interesting. However, the 5 most realistic suggestions were: (We have combined some similar answers to get a more inclusive response.)

- 40% learning and 60% working
- Have a wider range of sectors involved
- Guidance in the field provided
- Not just jobs like photocopying, printing, and making tea
- Have more support for young people with disabilities

6) What job types would you like to see work experience in and how would you like to access work experience?

The most common 5 which kept occurring in the responses to this question are:

1. Hospital jobs
2. Engineering jobs
3. Economic jobs
4. Environmental jobs
5. Childcare jobs

7) What would put you off doing work experience?

The top 5 most common barriers to work experience for young people are:

1. Transport
2. Lack of friendliness in the workplace
3. Poor management for the work experience
4. When the experience is offered e.g. around exam time etc.
5. Lack of education

Recommendations

1. Have a system that all young people can have work experience.
2. Have a quality control for work experience offered.
3. Publicise available work experience in schools.
4. All schools to deliver work experience.
5. Wider sector of jobs included in work experience opportunities.
6. Have more support for young people with disabilities.
7. Support for young people doing work experience if needed including expenses if needed.
8. Make work experience count - not just photocopying etc.
9. Carry out regular research to ensure young people aren't forgotten about.
10. Find out which schools offer work experience and have a networking event to share positive practices.

Toni Paxford, Rotherham Youth Cabinet

1. A stable careers programme	Every school and college should have an embedded programme of career education and guidance that is known and understood by students, parents, teachers, governors and employers.	<ul style="list-style-type: none"> • Every school should have a stable, structured careers programme that has the explicit backing of the senior management team, and has an identified and appropriately trained person responsible for it. • The careers programme should be published on the school's website in a way that enables pupils, parents, teachers and employers to access and understand it. • The programme should be regularly evaluated with feedback from pupils, parents, teachers and employers as part of the evaluation process.
2.Learning from career and labour market information	Every student, and their parents, should have access to good quality information about future study options and labour market opportunities. They will need the support of an informed adviser to make best use of available information.	<ul style="list-style-type: none"> • By the age of 14, all pupils should have accessed and used information about career paths and the labour market to inform their own decisions on study options. • Parents should be encouraged to access and use information about labour markets and future study options to inform their support to their children.
3.Addressing the needs of each student	Students have different career guidance needs at different stages. Opportunities for advice and support need to be tailored to the needs of each student. A school's careers programme should embed equality and diversity considerations throughout.	<ul style="list-style-type: none"> • A school's careers programme should actively seek to challenge stereotypical thinking and raise aspirations. • Schools should keep systematic records of the individual advice given to each pupil, and subsequent agreed decisions. • All pupils should have access to these records to support their career development. • Schools should collect and maintain accurate data for each pupil on their education, training or employment destinations.
4.Linking curriculum learning to careers	All teachers should link curriculum learning with careers. STEM subject teachers should highlight the relevance of STEM subjects for a wide range of future career paths.	<ul style="list-style-type: none"> • By the age of 14, every pupil should have had the opportunity to learn how the different STEM subjects help people to gain entry to, and be more effective workers within, a wide range of careers.

5.Encounters with employers and employees	Every student should have multiple opportunities to learn from employers about work, employment and the skills that are valued in the workplace. This can be through a range of enrichment activities including visiting speakers, mentoring and enterprise schemes.	<ul style="list-style-type: none"> • Every year, from the age of 11, pupils should participate in at least one meaningful encounter* with an employer. <p>*A 'meaningful encounter' is one in which the student has an opportunity to learn about what work is like or what it takes to be successful in the workplace.</p>
6.Experiences of workplaces	Every student should have first-hand experiences of the workplace through work visits, work shadowing and/or work experience to help their exploration of career opportunities, and expand their networks.	<ul style="list-style-type: none"> • By the age of 16, every pupil should have had at least one experience of a workplace, additional to any part-time jobs they may have. • By the age of 18, every pupil should have had one further such experience, additional to any part-time jobs they may have.
7.Encounters with further and higher education	All students should understand the full range of learning opportunities that are available to them. This includes both academic and vocational routes and learning in schools, colleges, universities and in the workplace.	<ul style="list-style-type: none"> • By the age of 16, every pupil should have had a meaningful encounter* with providers of the full range of learning opportunities, including Sixth Forms, colleges, universities and apprenticeship providers. This should include the opportunity to meet both staff and pupils. • By the age of 18, all pupils who are considering applying for university should have had at least two visits to universities to meet staff and pupils. <p>*A 'meaningful encounter' is one in which the student has an opportunity to explore what it is like to learn in that environment.</p>
8.Personal guidance	Every student should have opportunities for guidance interviews with a career adviser, who could be internal (a member of school staff) or external, provided they are trained to an appropriate level. These should be available whenever significant study or career choices are being made.	<ul style="list-style-type: none"> • Every pupil should have at least one such interview by the age of 16, and the opportunity for a further interview by the age of 18.

* Original Source (J Holman (2014) Good Career Guidance. London: Gatsby Charitable Foundation)

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STANDARDS AND ETHICS COMMITTEE
14th June, 2018

Present:- Councillor McNeely (in the Chair); Councillors Brookes, Clark, Fenwick-Green, Simpson, Vjestica, Mr. D. Bates and Mr. D. Rowley (Parish Representatives), Mr. P. Beavers (Independent Person) and also Mr. P. Edler (Independent Co-optee).

Apologies for absence were received from Councillor Ireland, Mr. R. Swann (Parish Representative), Mrs. J. Porter (Independent Co-optee) and Mr. D. Roper-Newman (Independent Person)

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

2. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the appendices for Minute Nos. 75 and 76 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.

3. MINUTES OF THE PREVIOUS MEETING HELD ON 1ST MAY, 2018

Consideration was given to the minutes of the previous meeting held on 1st May, 2018.

Mr. P. Beavers, Independent Person, pointed out he was present at the meeting.

Reference was made to Minute No. 62 (Membership of the Committee) and the outstanding review of the Committee's terms of reference. It was noted that the Constitution Working Group was scheduled to meet in early July, 2018.

In terms of the resolution of Minute No. 62 the Monitoring Officer confirmed Council agreed the appointment of the current Town and Parish Council representatives, the current Independent Co-opted Members and the current Independent Persons as its meeting on the 23rd May, 2018 for the 2018/19 municipal year.

At the Parish Council Network Group held on 5th June, 2018, Town and Parish Councils were invited to nominate three representatives to be members of the Committee until May, 2020.

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With regards to Minute No. 63(3) (Work Plan) it was noted the Chair of the Committee and Monitoring Officer had attended the Parish Council Network Group on 5th June, 2018.

The response to the consultation as per Minute No. 64 (Review into Ethical Standards in Local Government) would be circulated to all members of the Standards and Ethics Committee.

Sub-Committee Hearings in relation to Minute No. 66 (Consideration of Complaints) would be arranged as soon as practically possible in accordance with relevant Members' diaries. However, it was noted that wherever possible reasons for delays in scheduling hearings be documented.

Resolved:- That the minutes of the meeting of the Standards and Ethics Committee held on 1st May, 2018 be approved as a true and accurate record of proceedings, subject to the inclusion of Mr. P. Beavers in the attendance.

4. TRAINING PLAN - VERBAL UPDATE FROM MONITORING OFFICER FOLLOWING PARISH LIAISON GROUP

Dermot Pearson, Monitoring Officer, provided an update following the attendance of him and the Chair of the Standards and Ethics Committee at the Parish Council Network Group on 5th June, 2018.

A worthwhile discussion had taken place on the training needs of Town and Parish Councillors where it was requested that training sessions be co-ordinated to avoid duplication and spread out evenly throughout the year.

It was suggested that liaison take place with the Yorkshire Local Councils Association to determine their training schedule to enable the Borough Council to align its own proposed training sessions accordingly. This would then enable the briefing on the new Waverley Parish Council and the seeking of nominations to be scheduled accordingly.

Resolved:- That the information be received and duly noted.

5. LOCAL CODES AND PROTOCOLS

Consideration was given to the report presented by the Monitoring Officer which sought the views on what work the Committee might wish to do on the development of local codes and protocols to supplement the existing Code of Conduct for Members and Co-opted Members and the Member/Officer Protocol.

The topics which were covered by such protocols and codes could include:-

- Planning Protocol [usually a matter for an Authority's Planning Board].
- Use of Resources Guidance for Members.
- Gifts and Hospitality Guidance for Members.
- Social Media Guidance for Members.

The Committee, in considering the suggestion, believed prioritisation should be given to social media guidance for development, but welcomed the potential opportunity to poll all Members to seek their views rather than a small working group to develop new codes.

The Monitoring Officer pointed out that the adoption of such protocols would allow the Town and Parish Councils to adopt or not.

Resolved:- That a poll/survey of Borough Councillors be undertaken with various options for consideration in consultation with the Chair of the Standards and Ethics Committee and other Members of the Committee where appropriate.

6. ANNUAL REPORT

Consideration was given to the report presented by the Monitoring Officer which summarised the work undertaken by the Standards and Ethics Committee during the Municipal Year 2017/2018.

The Chair of the Committee asked Members to consider when the Annual Report should be produced. It was her view that this should be at the end of the Municipal Year which would allow for looking back at what had been achieved and in looking forward for the Work Programme for the coming year.

The Committee were in agreement that this should be at the end of the municipal year in case the membership changed for the following year and welcomed further consideration of the membership moving forward, the boundary changes and the challenges that 2020 would bring.

Resolved:- That the work undertaken in the municipal year 2017/2018 be noted.

7. CURRENT ISSUES IN LOCAL GOVERNMENT STANDARDS

Consideration was given to the report presented by the Monitoring Officer which detailed information about current issues and developments in Local Government standards and related issues which affected Local Government. It drew on material published by North Yorkshire County Council's Standards Committee, with permission, as a useful baseline.

This related to how in December 2017 the Committee on Standards in Public Life [CSPL] published "*Intimidation in Public Life – A Review by the CSPL*". This was in response to a request from the Prime Minister for the

STANDARDS AND ETHICS COMMITTEE - 14/06/18

CSPL to undertake a review on the intimidation of Parliamentary candidates, considering the wider implications for public office-holders. The issue of intimidation of councillors was raised in the recent CSPL consultation to which this Committee responded.

The recommendations made by the CSPL were set out in the Appendix to this report. The Government issued a press release on 6th February, 2018 announcing it would consult on plans to remove the requirement for candidates standing as councillors in local elections to have their addresses published on ballot papers, in time for local elections in May 2019; and on a new electoral law offence of intimidating parliamentary candidates and their campaigners.

The recommendations of particular interest in a local government context were:-

- The government should bring forward legislation to remove the requirement for candidates standing as local councillors to have their home addresses published on the ballot paper. Returning Officers should not disclose the home addresses of those attending an election count; and
- Local Authority Monitoring Officers should ensure that members required to declare pecuniary interests are aware of the sensitive interests provisions in the Localism Act 2011.

The Council's Code of Conduct for Members and Co-opted Members reflected the relevant provisions in the Localism Act 2011 and provided:-

You need not disclose the nature of any personal interest or disclosable pecuniary interest in an item of business where the Council's monitoring officer considers that disclosure of the details of the interest ("a sensitive interest") could lead to you or a person connected with you being subject to violence or intimidation.

The Committee considered the merits of publicising addresses and whether for safety reasons it not be included on material or on relevant websites. There needed to be due diligence to ensure the requirements were met whether this be by the Clerk of a Parish Council, the Elections Officer or the political selection party.

Resolved:- That the matters set out in the report be noted.

8. STANDARDS AND ETHICS COMMITTEE - CONSIDERATION OF COMPLAINTS

Consideration was given to the report presented by the Monitoring Officer, detailing the progress with the handling of complaints relating to breaches of the Council's Code of Conduct for Members and Town and Parish Councillors. The report listed the current cases of complaint and the action being taken in respect of each one.

Details of each related case and recommended outcome were highlighted, some of which required the arrangement of a sub-committee hearing. These would be arranged soon as possible in line with the relevant procedure.

The Committee asked if dates of actions taken could be included within the schedule as this would then identify if there were particular issues.

Resolved:- (1) That the report be received and the contents noted.

(2) That the progress in respect of each case be noted pursuant to the Standards and Ethics Committee Complaints Procedure.

9. A REVIEW OF CONCERNS RAISED PURSUANT TO THE WHISTLEBLOWING POLICY

Consideration was given to the report and appendix presented by the Monitoring Officer, which provided an overview of the Whistleblowing cases which have been received over the past year.

The appendix to the report set out clearly the description of the concerns received and action.

The Committee welcomed the report and considered the reported matters in detail which would identify if there were any particular trends or issues. However, the Committee asked if more information could be provided on how the information was used, an activity log for timescales and whether or not a target date for completion would assist in preventing any unnecessary delays.

The Monitoring Officer agreed to speak with Human Resources and Audit to ascertain what could and could not be shared as some of the concerns raised were outrageous and vexatious.

Resolved:- (1) That the Whistleblowing concerns raised over the previous year and the actions taken to address these matters be noted.

(2) That liaison take place with relevant services as to whether any additional information could be included for the Committee's consideration.

10. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Standards and Ethics Committee take place on Thursday, 13th September, 2018 at 2.00 p.m.

AUDIT COMMITTEE
19th June, 2018

Present:- Councillor Wyatt (in the Chair); Councillors Cowles, Vjestica, Walsh and Bernard Coleman (Independent Person).

An apology for absence was received from Councillor Evans.

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC OR THE PRESS

There were no members of the public or press present at the meeting.

3. MINUTES OF THE PREVIOUS MEETING HELD ON 6TH FEBRUARY, 2018

Consideration was given to the minutes of the previous meeting of the Audit Committee held on 6th February, 2018.

Resolved:- That the minutes of the previous meeting of the Audit Committee be approved as a correct record of proceedings.

Arising from Minute No. 51(a) (Health Check), it was noted that the report from the independent health check had been received. It had found that the approach taken by the Committee was well developed and could be considered as an exemplar.

4. BRIEFING PAPER - GDPR COMPLIANCE PROGRESS

Marie Buxton, Head of Information Management, presented a summary of the Council's progress towards compliance with the General Data Protection Regulations (GDPR) as at March, 2018 and the outstanding actions.

Appendix 1 submitted provided details of work completed in Quarter 4 (January-March, 2018) which included:-

Phase 1 – Raise awareness, build accountability and gather information

- An Information Governance Framework and programme of work established and implemented
- Decision makers at all levels informed on the impact of GDPR
- A Council-wide 'information audit' established and implemented
- Review of IT systems and procedures in light of new information rights
- Review the resource and training requirements within the IM Team

Phase 2 – Plan and Prioritise (July-November, 2017)

- Recruit and appoint a Data Protection Officer
- Prioritise compliance activity and remedial measures based on areas with high risk and most significant impact
- Embed Privacy Impact Assessment (PIA) guidance and process across the Council
- Conduct retrospective PIA's for riskier activities
- Embed the data breach guidance and process across the Council

Phase 3 – Implement changes (December, 2017-April, 2018)

- Review and update privacy standards and processes
- Review and update consent standards and processes
- Review and update information sharing (including confidentiality) standards and processes
- Review and update information rights, standards and processes

Phase 4 – Embed change, train and re-train (May-July, 2018)

- Implement the appropriate standards and processes in order to embed culture change
- Implement an appropriate training plan in order to embed culture change
- Implement the Communication Plan in order to embed culture change

Discussion ensued with the following issues raised:-

- There would be case studies highlighting where there had been gaps/good practice to learn from
- Identified risk – electronic record management
- Data sharing protocol
- The Council had signed up to an overarching information sharing protocol, as had organisations across South and West Yorkshire, and co-ordinated by the Health and Social Care Information Centre the aim of which was to ensure that everyone used the same standard paperwork in terms of sharing agreements. It also included the private sector. The representatives (approximately 60) met on a quarterly basis.

Resolved:- (1) That the report be noted.

(2) That a further report be submitted in 6 months.

5. PUBLICATION OF UNAUDITED STATEMENT OF ACCOUNTS 2017/18

Paul Stone, Head of Corporate Finance, presented the Draft Statement of Accounts 2017/18 which had been published on the Council's website on 31st May, 2018, as required under the Accounts and Audit Regulations 2015.

The publication of the unaudited accounts triggered a period of 30 working days (ending on 12th July, 2018) for local electors to exercise their rights to inspect the accounts and supporting records and to ask questions of the external auditor.

The external audit of the unaudited accounts had commenced on 11th June, 2018 with KPMG reporting their findings to the July meeting of the Committee.

The deadline for publishing the audited accounts was 31st July, 2018.

There had been no significant accounting policy changes to the accounts since 2016/17.

The Highlights Report (Appendix B) summarised the key financial disclosures reported in the 2017/18 draft Statement of Accounts and provided further detail on each of the key financial issues referred to above.

Resolved:- That the draft 2017/18 Statement of Accounts be received.

6. UPDATE REPORT ON THE USE AND OPERATION OF SURVEILLANCE AND ACQUISITION OF COMMUNICATIONS DATA POWERS

Neil Concannon, Legal Services, presented an update on the use of covert surveillance and covert human intelligence sources (CHIS) carried out by Council officers under the Regulation of Investigatory Powers Act 2000 (RIPA).

As previously with the Office of Surveillance Commissioners (OSC) the Council was required to notify IPCO of the number of directed surveillance/CHIS authorisations granted in each financial year. The annual return submitted in April for the 2017/18 financial year confirmed that there had been no such authorisations in that period nor had there been any such authorisations so far this calendar year.

The Council was also required to notify the Interception of Communications Commissioner's Office of the number of authorisations for the acquisition and disclosure of communications data granted each calendar year. There had been no such authorisations in 2017 nor had there been any this calendar year so far.

As reported at the 21st November, 2017 meeting of the Audit Commission, a corporate training day had been held for relevant officers from across all the Directorates focussing on the use of CHIS. The training had also covered RIPA and the use of social media which was a continually developing area and which was a line of enquiry during the OSC inspection.

The Council's Policies were last reviewed by the Committee in April, 2017 and amended to include a section on the use of social media in investigations as a result of recommendations made by the OSC in their inspection report. Since that time there had been no revised Home Office codes of practice issued. In December 2017 the IPCO had conducted a public consultation on some suggested amendments to those codes of practice including expanded guidance on the use of social media and guidance on the reporting of errors to IPCO when certain sections of the Investigatory Powers Tribunal 2016 were brought into force. However, to date, no revised codes of practice had been issued, the relevant sections of the 2016 Act had not been brought into force and there was no indication as to when that would happen.

Given that there had been no revised codes of practice issued by IPCO since the last RIPA and ACD Policies were set and no indication when it would happen, the current policies remained fit for purpose. However, where there was reference to ICO/IOCCO it should be replaced with IPCO.

Resolved:- (1) That it be noted that the Council had not made use of surveillance or acquisition of communication data powers under RIPA during 2017/18 or to date in 2018/19.

(2) That, in its current form, the Council's RIPA Policy and Acquisition and Disclosure of Communications Data Policy, except for minor amendments reflecting the name of the new regulator, be re-adopted.

(3) That a further update be submitted in 6 months' time.

7. EXTERNAL AUDIT AND INSPECTION RECOMMENDATIONS

Further to Minute No. 36 of the meeting of the Audit Committee held on 21st November, 2017, consideration was given to a report, presented by Michelle Hill, Performance Assurance Officer, providing details of recent and current external audits and inspections including the details of arrangements that were in place regarding the accountability and governance for implementing recommendations arising therefrom.

The report included detail of progress being made in respect of the following specific areas and Directorates:-

- the “Fresh Start” Improvement Plan;
- Adult Care and Housing;
- Children and Young People's Improvement Plan;
- Liberty House
- Regeneration and Environment Services
- Finance and Customer Services

The summary of recommendations from “Active” Inspection and Audit Action Plans was appended to the submitted report.

The Audit Committee's discussion of this matter highlighted the following salient issues:-

- Liberty House had monthly visits from an independent visitor, externally commissioned to ensure independence and objectivity. The report was sent monthly to Ofsted
- All the actions in respect of the Fresh Start plan were now complete or in place. Performance was still monitored through the Strategic Leadership Team

Resolved:- (1) That the report be received and its contents noted.

(2) That the governance arrangements that were currently in place for monitoring and managing the recommendations from external audits and inspections, as now reported, be noted.

(3) That the Audit Committee continue to receive regular reports in relation to external audit and inspections and the progress made in implementing recommendations.

8. ANNUAL GOVERNANCE STATEMENT 2017-18

Consideration was given to the 2017-18 draft Annual Governance Statement (AGS) presented by Simon Dennis, Corporate Risk Manager.

In producing the 2017-18 AGS, the Council had gathered sufficient evidence to support the statements that it had made. Each Strategic Director had been asked to oversee a self-assessment of governance in their Directorate. This had comprised of completion of a self-assessment form based on the Principles and Sub-Principles in the Local Code by each Assistant Director as well as a review and update of the detailed issues raised in the 2016-17 AGS. Each Strategic Director was also required to sign a Statement of Assurance based on the information arising from their review of current and previous governance issues.

The Corporate Governance Group had reviewed evidence contained within the returned Statements of Assurance as well as considering which issues were of sufficient significance to require reporting in the Statement. The Group had then produced the AGS.

The AGS would be updated by 31st July to reflect any issues that emerged between now and the completion of the final Statement of Accounts. It would also take account of any comments made by the Committee and external auditor.

The overall conclusion of the review of governance was that the Council had continued to make good progress on its improvement journey throughout 2017-18 which was supported by comments made by the

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Commissioners in their most recent progress review. Positive progress continued to be made and this was supported both by the further restoration of powers to the Council throughout 2017/18 by the Secretary of State as well as by the positive outcome from the Ofsted re-inspection.

Although at present, Commissioners retained oversight of Children's Safeguarding and Children's Social Care, the evidence in place throughout 2017/18 supported a conclusion that overall the Council had demonstrated good governance and met its Best Value duty throughout the year.

Consultation had taken place with the Strategic Directors, the Strategic Director of Finance and Customer Services, the Assistant Director Legal Services and the Chief Executive.

Recommended practice required the Leader of the Council and the Chief Executive to sign the Annual Governance Statement prior to its publication.

The Audit Committee's discussion of this matter highlighted the following salient issues:-

- Medium Term Financial Strategy and particularly the pressures on the Council from demands in Children's Services
- The AGS would be updated to take account of any recommendations from the Peer Review and any announcement by the Secretary of State
- Update with regard to the Public Services Network certificate

Resolved:- (1) That the 2017-18 draft Annual Governance Statement be noted.

(2) That the requirement for the Leader and Chief Executive to sign the Statement prior to the publication of the Annual Governance Statement by 31st July, 2018, be noted.

(3) That the final version of the Annual Governance Statement be submitted to the 30th July meeting of the Audit Committee following completion of the audit of accounts by KPMG.

9. INTERNAL AUDIT ANNUAL REPORT 2017 - 2018

Consideration was given to a report presented by David Webster, Head of Internal Audit, on the role of Internal Audit, the work completed during the 2017/18 financial year and highlighted the key issues that had arisen. It provided the overall opinion of the Head of Internal Audit on the adequacy of the Council's control environment as well as the performance of the Internal Audit function during 2017/18.

Appendix 1 of the report submitted included:-

- Legislative requirements and Professional Standards
- The Head of Internal Audit's annual opinion on the control framework, risk management and governance
- Resources and audit coverage during the year
- Summary of audit work undertaken during 2017/18 including both planned and responsive/investigatory work
- Summary of other evidence taken into account for control environment opinion
- Summary of audit opinions and recommendations made
- Internal Audit Performance Indicators

Based upon internal audit work undertaken and taking into account other internal and external assurance processes, it had been possible to complete an assessment of the Council's overall control environment. An opinion of Partial Assurance or No Assurance had been given in 13 areas subject to audit. In the opinion of the Head of Internal Audit, the Council had overall an adequate and effective framework of governance, risk management and control.

Action plans had been agreed with management in respect of all final audit reports issued.

Consideration was also given to Appendix A which set out a summary of the audit opinions and recommendations that had arisen from audit work completed during the period.

Discussion ensued on the report with issues raised/clarified around:-

- Staffing of the Internal Audit team
- Introduction of new software

Resolved:- (1) That the Internal Audit work undertaken during the 2017/18 financial year and the key issues that had arisen therefrom be noted.

(2) That the overall opinion of the Head of Internal Audit be noted.

(3) That the information contained regarding the performance of Internal Audit during 2017/8 be noted.

10. INTERNAL AUDIT STRATEGIC PLAN 2018/19 TO 2020/21

Consideration was given to a report, presented by the Head of Internal Audit, concerning the Internal Audit Strategic Plan for the 3 year period 2018/2019 to 2020/2021.

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The report explained the Internal Audit approach to the development of the Strategic Plan, as well as detailing the specific activities to be reviewed during the 3 years' period of the Plan. It was noted that the Plan reflected a comprehensive risk assessment process, which also included discussions with the Council's Strategic Directors and Assistant Directors to obtain their views of key risks and areas for audit coverage.

Outline scopes for each review were submitted. The following types of audit work would be completed:-

- Risk based work
- System based work
- Follow up audits
- Advisory work
- Value for money
- Grant claims
- Schools
- Counter fraud work

The Committee discussed the following salient issues:-

- The Team had a contingency of 50 days for any new risks/ad hoc management risks
- Some "red" risks did not have a number of days assigned to them. This was possibly due to the Directorate taking action and was not to be audited until after that had taken place. "Green" risks may be reviewed to check that the categorisation was still valid
- There was nothing Audit could contribute in terms of the Finance risks

Resolved:- (1) That the report be received and its contents noted.

(2) That the Internal Audit Strategic Plan for the 3 years' period 2017/2018 to 2019/2020, as now submitted, be approved.

(3) That reports about the progress of the implementation of the Internal Audit Strategic Plan 2017/2018 to 2019/2020 be submitted to meetings of the Audit Committee at regular intervals.

11. AUDIT COMMITTEE PROSPECTUS AND FORWARD WORK PLAN 2018/19

David Webster, Head of Internal Audit, presented a draft 2018-19 Prospectus which outlined the Audit Committee's objectives, how the Committee would operate and how it would deliver its objectives through its work plan.

It highlighted key activities to be carried out in relation to risk management, corporate governance, accounting and internal and external audit.

Resolved:- That the 2018-19 Audit Committee Prospectus be approved.

12. ITEMS FOR REFERRAL FOR SCRUTINY

Resolved:- That the Audit Committee Prospectus and Forward Work Plan 2018/19 be forwarded to the Overview and Scrutiny Management Board.

13. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following items of business 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 (information relates to finance and business affairs).

14. INTERNAL AUDIT PROGRESS REPORT FOR THE PERIOD 1ST JANUARY TO 31ST MAY 2018

Consideration was given to a report presented by the Head of Internal Audit which provided a summary of Internal Audit work completed during 1st January to 31st May, 2018, and the key issues that had arisen therefrom.

It was noted that there had been no further changes to the Audit Plan since those reported to the November meeting of the Audit Committee.

Performance against key indicators had improved but in general the whole year targets had not been met. There had been a good start to 2018/19 with the Team engaged in a number of investigations, impacting upon the completion of the audit plan and continuing into the new financial year.

Summary conclusions in all significant audit work concluded during the period were set out in Appendix A of the report submitted. 8 audits had been finalised since the last Audit Committee meeting one of which had No Assurance and 2 had Partial Assurance. The remaining 5 all had Substantial Assurance or Reasonable Assurance.

Reference was also made Appendix C which detailed significant responsive work completed since the last Audit Committee.

Appendix D summarised Internal Audit's performance against a number of Indicators. Appendix E showed outstanding recommendations that had passed their original due date. Where they had been deferred, the

comment received from the Manager was given but where there was no change to the due date or comment, the Manager had not updated the system. The new software system was launched at the beginning of May so was not fully embedded; results would improve in the future.

Discussion ensued on the report with the following issues raised/clarified:-

- Any audit that received a “No Assurance” issued was immediately referred to the Chief Executive for action and follow up
- All “No Assurance” and “Partial Assurance” reports were also submitted to the Corporate Risk Manager for consideration as to whether they were included on the individual Directorate risk registers

Resolved:- (1) That the Internal Audit work undertaken since meetings of the Audit Committee, 1st January to 31st May, 2018, and the key issues arising therefrom be noted.

(2) That the information contained regarding the performance of Internal Audit and the actions being taken by management in respect of the performance be noted.

15. STRATEGIC RISK REGISTER

The Strategic Director of Adult Care and Housing and Councillor Roche, Cabinet Member, Social Care and Health, presented the Directorate Risk Register and risk management activity in particular highlighting:-

- How the Register was maintained/monitored and at what frequency
- Cabinet Member involvement
- How risks were included on/removed from the Register
- Anti-fraud activity in the Directorate

Discussion ensued with the following issues raised/clarified:-

- The risk factors would change once the review of the Learning Disability Service review was complete
- Direction of travel for the Adult Social Care budget
- Senior management staffing situation
- Workshop with risk owners to take place
- Deprivation of Liberty Safeguards
- Review of Rothercare
- Managing the market
- Universal Credit

Resolved:- That the progress and current position in relation to risk management activity in the Adult Care and Housing Directorate be noted.

16. DATE AND TIMES OF MEETINGS FOR THE 2018/19 MUNICIPAL YEAR

Resolved:- That meetings be held during the 2018/19 Municipal Year as follows, all commencing at 2.00 p.m.:-

Monday, 30th July 2018

Tuesday, 2nd October

27th November

29th January, 2019

26th March

HEALTH AND WELLBEING BOARD
11th July, 2018

Present:-

Councillor David Roche	Cabinet Member, Adult Social Care and Health (in the Chair)
Ian Atkinson	Rotherham CCG (representing Chris Edwards)
Tony Clabby	Healthwatch Rotherham
Sharon Kemp	Chief Executive, RMBC
Carole Lavelle	NHS England
Councillor Janette Mallinder	Chair, Improving Places Select Commission
David McWilliams	Assistant Director, Early Help and Family Engagement (representing Mel Meggs)
Chris Morley	Chief Nurse, TRFT (representing Louise Barnett)
Robert O'Dell	District Commander, South Yorkshire Police
Dr. Jason Page	Governance Lead, Rotherham CCG
Terri Roche	Director of Public Health
Janet Wheatley	Chief Executive, Voluntary Action Rotherham

Also Present:-

Steve Adams	South Yorkshire Fire and Rescue Service
Lydia George	RCCG
Kate Green	Policy and Partnership Officer, RMBC
Polly Hamilton	Assistant Director, Culture Sport and Tourism
Janet Spurling	Scrutiny Adviser to Health Select Commission
2 Members of the Public	

Apologies for absence were submitted from Louise Barnett (TRFT), Dr. Richard Cullen (RCCG), Chris Edwards, (RCCG), AnneMarie Lubanski (RMBC), Mel Meggs (Interim Strategic Director Children and Young People's Services), Councillor Short (Vice-Chair, Health Select Commission), Kathryn Singh (RDaSH) and Councillor Gordon Watson (Deputy Leader).

1. KATE GREEN

The Chair reported that, due to Kate taking up a post within Public Health, this was to be her last Board meeting.

On behalf of the Board, he thanked Kate for all the support she had provided to the Board and wished her well in her future position.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

3. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

How could Learning Disability Service users be confident they would have an individual care assessment, before their services were withdrawn, as promised with the Council's track record of conducting assessments so far? How sensible was it to agree the closure of the Centres and Respite Service before the assessments had been done?

In terms of strategic priorities, you talk about how social isolation and the lack of social communication is as a prelevant risk factor for early death as smoking 15 cigarettes a day and well known risk factors such as Obesity and inactivity. When talking about people with Learning Disabilities in terms of their ability to get out and see people in their community they are the most vulnerable so where do they come together for social interaction if you are shutting the day centres?

The Chair stated that the Board had the overall remit of health and wellbeing; the Day Centres came within the Council's responsibility. He had questioned the Services in detail about assessments and was very confident that the resources were in place to ensure that all the assessments took place.

Social isolation was important and why it was one of the new priorities of the Board as well as 3 officers of the Council looking at the overall integration plan for loneliness to present to the Board sometime in the future. There were 3 main ways of moving forward - firstly Shared Lives, secondly Direct Payments and thirdly through a number of organisations that people with Learning Disabilities and their carers could access if they so wished.

In terms of the Health Service Review, I went to 2 meetings one of which was the Scrutiny Panel in Wakefield where the Chair of the Scrutiny Panel questioned the CCG on the consultation process and its depth and gave them a few ideas of how they should widen the consultation. I also attended the Judicial Review in Leeds and the Judge, in her remarks afterwards to the barrister, had made the point that in terms of the consultation process with the Scrutiny Panels it had perhaps fallen short.

In terms of the Hospital Services Review have we done the job in terms of letting people know what is happening? The videos I have seen were quite worrying in that they were rather bland. You would think from it that there were no problems from the Health Service.

The Chair stated that, in terms of the Independent Hospital Review, he expressed his own concern about the process. He could not answer for the Scrutiny Panel but from looking at what was in the report at this stage it was very bland with not much detail and as such the Council response stated that it would like to see more information and detail about what might be coming down the road and making sure Rotherham got its fair

share of the hubs. We do have concerns about the lack of consultation. We know there have been events but are concerned about the lack of consultation with the Council and Members. We have made that point in our response.

There was a commitment at the moment that all the local hospitals and A&Es would remain as they were.

Janet Spurling, Scrutiny Adviser to the Health Select Commission, stated that the Select Commission had been updated on the key points from the initial report but obviously, as all the local boards were looking at the report now and giving their feedback, there would be time to look again once there was something more concrete going forward. That would be scrutinised in depth where appropriate.

Dr. Jason Paige reported that his practice had been approached by a team of people who would be carrying out more public consultation. One of the things they would be doing is attending GP surgeries and talking to patients so there was another layer of public consultation being organised. They would only do that once they had something to discuss.

Ian Atkinson, CCG, reported that it was an independent report into the Health system which partners had been asked to comment on by 12th July in terms of the recommendations. The views of partners had not been sought previously, so this would start to develop potential recommendations in each workstream; when a view would be able to be taken as to how it would impact on local systems. It might impact in different ways so each discrete area may need its own consultation.

I went into some of your documents about what affects people's health and one of the key factors was of course the workplace and stresses from the workplace. I recognise and know the CCG must be putting significant pressure on the hospital to form subsidiaries which is very worrying for the workforce. Campaigners had noted that other authorities were starting to pull away from wholly owned subsidiaries. Is this Board able to pass comment or put some pressure on the stemming of this process?

The Chair agreed that health and the workplace was very important. There was a Healthy Workplace Charter, including Mental Health, which the South Yorkshire authorities had pulled together and was to be piloted in 10 organisations in the near future.

The Place Plan had quite deliberately been included in the remit of the Board in order that the Rotherham Integrated Care Partnership reported into it. There was a Place Board Executive under it which was responsible for the day-to-day work of the Place Board. Currently the Place Board was focussed on positive things to improve the health of Rotherham. In terms of pressure, it would be up to the Board to decide when it affected the health of Rotherham people to start thinking about what our reaction would be but as at the moment there was no talk

whatsoever of anything like a wholly owned subsidiary coming into Rotherham.

Chris Morley confirmed that a wholly owned subsidiary was being considered by TRFT but no decision had been made as yet. It would be a company owned by the NHS so would still report into the TRFT Board.

Ian Atkinson, CCG, clarified that it was not the case that the CCG were putting significant pressure on the TRFT around wholly owned subsidiary.

4. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the previous meeting of the Health and Wellbeing Board held on 16th May, 2018, were considered.

Resolved:- That the minutes of the previous meeting held on 16th May, 2018, be approved as a correct record.

5. COMMUNICATIONS

A. The Chair reported that the Kings Fund had recently published a document, undertaken by researchers from the University of Durham, about health and wellbeing boards and what they had achieved.

A copy of the document would be circulated to Board members.

Action: Kate Green

B. The latest report in a series of reports undertaken on behalf of the Local Government Association was now available and would be circulated to Board members.

Action: Kate Green

6. HEALTH AND WELLBEING STRATEGY: ACTION PLANS AIMS 1-4

Further to Minute No. 75 of the previous meeting, the Board sponsors presented the final versions of 4 action plan aims.

Whilst the plans were submitted as final versions, they would continue to be live documents, being updated as required. Although the Strategy was agreed for a 7 year period, the action plans would be presented as 2 year plans and, therefore, not all activity would be included or completed in each 2 year cycle.

Discussion ensued with the following issues raised/clarified:-

Aim 1

David Mc Williams reported on behalf of Mel Meggs

- Acknowledgement that there was more work to be done under all 4 aims including selecting a number of meaningful Key Performance Indicators that could be reported to the Board. A highlight report should then be submitted highlighting the exceptions
- Current performance should include numbers where applicable to enable comparisons to be made

Aim 2

Ian Atkinson reported on behalf of Kathryn Singh

- The roll out of 5 Ways to Wellbeing had been successful to date
- 500K funding from South Yorkshire and Bassetlaw Integrated Care System had been secured to assist with suicide prevention work. Notification was awaited of Rotherham's portion of the funding
- Real improvement on IAPT target which was consistently in the top 25%
- Quarter 3 assessment received for CAMHS which showed real progress had been made, however, the challenges continued
- Rotherham was now the highest in Yorkshire and the Humber for Dementia diagnosis
- Rotherham would receive additional resources this financial year over and above the CCG allocation for CORE 24
- The Autism Strategy was expected shortly
- The disparity of women's life expectancy compared to men's was not included within the action plan

Aim 3

- More work was required in general on this Aim
- It was noted that more GP Practices were needed to volunteer to trial the the clinical pad, which was about encouraging more people to be physically active
- The training for MECC was quite narrow but work was taking place with different groups of professionals to make it more relevant to their work

Aim 4

Rob O'Dell reported supported by Polly Hamilton

- Aim 4 encompassed the environment in its widest sense and, therefore, would take a number of years for things to happen
- There was a cross over with the Safer Rotherham Partnership – not to replace the actions but to look across both Boards and ascertain what contribution could be made
- It was the intention to recruit a Public Health Registrar/student to deliver a piece of work reviewing the Local Plan and how its policies impacted upon health and wellbeing
- Priority 4's wording had been changed to reflect all culture/leisure activity and not just green spaces
- A draft of the Cultural Strategy was to be launched at the Rotherham Show in September 2018
- Active Dearne project – in collaboration with Barnsley and Doncaster Councils and Yorkshire Sports. The proposed pilot would focus on Swinton
- The Selective Licensing Scheme had been very successful in Eastwood and was to be extended into other areas of Rotherham

General

- Evidence showed that Social Prescribing consistently had positive effects on health and wellbeing
- The Government was to announce funding around loneliness. A conversation was required on how bidding to the fund would be tackled in Rotherham and whether there should be one co-ordinated bid rather than multiple bids
- The need to work with the Building Stronger Communities Board
- The Council was about to appoint the company who would be taking forward the Town Centre Master Plan

Resolved:- (1) That the high level activity identified as contributing towards the Strategy aims and priorities be approved.

(2) That the amended wording for Aim 4 Priority 4 be approved to read "increasing opportunities for people of all ages to participate in culture, leisure, sport and green space activity in order to improve their health and wellbeing".

(3) That updates on each individual aim be submitted to future Board meetings.

(4) That work on identifying the reasons for the disparity between males and females' life expectancy be included within aim 3.

ACTION:-

That David McWilliams be the lead for Children and Young People's Services with regard to Aim 1 outcomes

That Board Sponsors to identify 2 -3 Key Performance Indicators to reflect the aim and finalise their action plans.

7. INTEGRATED CARE PARTNERSHIP PLACE PLAN

Ian Atkinson, RCCG, gave a brief verbal update on the Integrated Care Partnership Place Plan.

There had been significant progress with the final Plan being submitted to the Integrated Care Partnership Board in September and then the Health and Wellbeing Board in terms of governance.

There were 4 key changes in the narrative:-

Workforce and organisational development
Enhanced finance aspect
Enhance estate dialogue
Digital agenda

Resolved:- That the update be noted.

8. HOSPITAL REVIEW

The Board considered the slides included within the agenda pack.

The Chair commented that no other organisation other than the RCCG had provided any comments on the Review. It had been agreed at the Integrated Health and Social Care Place Board that all partner organisations would individually provide written comments that would be incorporated into a collective response.

Ian Atkinson, RCCG, reported that the next stage would be, subject to the feedback, production of an outline business case to be considered against the objectives. There would be consultation and further engagement.

It was pointed out that the Review covered the health system and not health and social care. The Council was informed but not part of the consultation.

9. ROTHERHAM INTEGRATED CARE PARTNERSHIP PLACE BOARD

The notes of the minutes of the Rotherham Integrated Care Partnership Place Board held on 4th April and 2nd May, 2018, were noted.

10. DATE AND TIME OF NEXT MEETING

Resolved:- That a further meeting be held on Wednesday, 19th September, 2018, commencing at 9.00 a.m. in the Rotherham Town Hall.

PLANNING BOARD
21st June, 2018

Present:- Councillor Sheppard (in the Chair); Councillors Atkin, Bird, D. Cutts, Mallinder, Sansome, John Turner, Tweed, Walsh, Whysall and Williams.

Apologies for absence:- Apologies were received from Councillors Andrews, M. Elliott, Fenwick-Green and Ireland.

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

1. DECLARATIONS OF INTEREST

Councillor Atkin declared a personal interest in application RB2018/0527 (change of use to fish and chips restaurant at Maltby Fire Station, High Street, Maltby) on the grounds of being member of the South Yorkshire Fire and Rescue Authority and left the room whilst this item was discussed.

Councillor Mallinder declared a personal interest in application RB2018/0527 (change of use to fish and chips restaurant at Maltby Fire Station, High Street, Maltby) on the grounds of her daughter's connection to the restaurant and left the room whilst this item was discussed.

2. MINUTES OF THE PREVIOUS MEETING HELD ON 31ST MAY, 2018

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 31st May, 2018, be approved as a correct record for signature by the Chairman.

3. DEFERMENTS/SITE VISITS

There were no site visits nor deferments recommended.

4. DEVELOPMENT PROPOSALS

Resolved:- (1) That, on the development proposals now considered, the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

In accordance with the right to speak procedure, the following people attended the meeting and spoke about the following applications:-

PLANNING BOARD - 21/06/18

- Single storey side & rear extension to existing building to form A1 retail unit including ATM and associated works at Land adj to The Cutler PH Woodsetts Road North Anston for Tesco Stores Limited (RB2015/0777)

Mr. B. Train (Applicant)
Mrs. C. Bhullar (Objector)
Mr. M. Moy (Objector)
Mr. Keeton (Objector)
Mr. Widdowson (Objector)
Mrs. Widdowson (Objector)
Parish Councillor D. Graham (Objector)
Ward Councillor C. Jepson (Objector)

- Display of 1 No. illuminated fascia sign and various non illuminated and illuminated signs at Land adj to The Cutler PH Woodsetts Road North Anston for Tesco Stores Limited (RB205/0779)

Mr. Keeton (Objector)
Mrs. Widdowson (Objector)
Mrs. D. Graham (Objector)
Councillor C. Jepson (Objector)

- Erection of 85 dwelling houses with associated landscaping, on site open space, parking and access points at Land at Poplar Way Catcliffe for Barratt & David Wilson Homes (RB2018/0441)

Ms. M. Corbett (Applicant)

- Change of use to fish and chips restaurant/takeaway (Use Class A3/A5) at Maltby Fire Station High Street Maltby for Mr. J. Radford (RB2018/0527)

Mr. J. Radford (Applicant)
Mrs. N. Avgousti (Objector)
Mr. P. Norris (Objector)
Mr. J. Kirk (Objector)

- Change of use of restaurant to restaurant and drinking establishment (Use Class A3/A4) at 284 Bawtry Road, Wickersley for Mrs. Reed (RB2018/0560)

Mr. D. Reed (Applicant)
Mr. P. Thirlwall (Objector)
Ms. A. Chopra (Objector)
Ms. S. Line (Objector)
Mr. D. Walters (Objector)
Ms. M. Lee (Objector)
Mr. C. Barber (Objector)

(2) That applications RB2015/0777 and RB2018/0560 be refused for the reasons adopted by Members at the meeting.

(3) That applications RB2015/0779, RB2018/0361, RB2018/0441, RB2018/591 and RB2018/0682 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(4) That application RB2018/0527 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and subject to a further amendment to Condition No. 3 to now read:-

03

The use hereby permitted shall only be open to customers or for deliveries between the hours of 11:30 – 22:00.

Reason

In the interests of the amenities of the occupiers of nearby dwellings and in accordance with UDP Policy ENV3.7 'Control of Pollution'.

5. COURTESY CONSULTATION IN RESPECT OF PROPOSED PHASE 1 (FULL APPLICATION) ERECTION OF 2 UNITS - 16,615 SQ. M OF B1C/B2/B8 FLOORSPACE AND PROVISION OF ASSOCIATED ACCESS AND LANDSCAPING; PHASE 2 (OUTLINE APPLICATION) DETAILS OF ACCESS FOR UPTO 61,230 SQ. M OF B1C/B2/B8 FLOORSPACE AT FORMER OUTOKUMPU, SHEEPCOTE LANE, SHEFFIELD, S9 2RA FOR PEEL LOGISTICS PROPERTY (RB2017/1439)

Consideration was given to a report by the Assistant Director of Planning, Regeneration and Transportation which detailed a courtesy consultation from Sheffield City Council in respect of a proposed Phase 1 (full application) erection of 2 units - 16,615 sq. m of B1c/B2/B8 floorspace and provision of associated access and landscaping; Phase 2 (Outline application) details of access for up to 61,230 sq. m of B1c/B2/B8 floorspace at former Outokumpu, Sheepecote Lane, Sheffield, S9 2RA for Peel Logistics Property.

Resolved:- (1) That Sheffield City Council be thanked for the opportunity to comment on this application.

(2) That Sheffield City Council be informed that this Council did not wish to object to the above proposal.

6. COURTESY CONSULTATION IN RESPECT OF OUTLINE PLANNING APPLICATION WITH SOME MATTERS RESERVED (APPROVAL BEING SOUGHT FOR ACCESS) FOR AN EMPLOYMENT-LED DEVELOPMENT OF B1/B2/B8 USES AT LAND AT SHIREOAKS COMMON, SHIREOAKS, NOTTINGHAMSHIRE FOR BASSETLAW DISTRICT COUNCIL (18/00413/OUT) (RB2018/0623)

Consideration was given to a report by the Assistant Director of Planning, Regeneration and Transportation which detailed a courtesy consultation from Bassetlaw District Council in respect of an outline planning application with some matters reserved (Approval being sought for Access) for an employment-led development of B1/B2/B8 Uses at Land at Shireoaks Common, Shireoaks, Nottinghamshire.

Resolved:- (1) That Bassetlaw District Council be thanked for the opportunity to comment on this application.

(2) That Bassetlaw District Council be informed that this Council did not wish to object to the above proposal subject to a condition requiring buffer planting on the boundary with Rotherham's Green Belt.

7. APPEAL DECISION - HARTHILL EXPLORATORY WELL PUBLIC INQUIRY

Consideration was given to a report by the Assistant Director of Planning, Regeneration and Transportation which detailed an appeal following the public inquiry against the refusal of the Harthill Exploratory Well.

Prior to the commencement of the Inquiry the applicant submitted further information to address the highways objection to the scheme, including the provision of temporary traffic stop and go boards, which were accepted at officer level though rejected by Planning Board.

During the course of the Inquiry the Council withdrew its opposition to the proposals on ecological grounds (and at the same time agreed with the appellant that no applications for costs would be submitted by either party).

Since the closure of the Inquiry, on 17 May 2018 the Secretary of State for Business, Energy and Industrial Strategy made a Written Statement to Parliament on Energy Policy, which strongly supported the exploration and development of onshore shale gas resources, and the Inspector took this in to account as a material consideration.

The Inspector considered that the main issues in this case were:-

- i) whether the proposal would represent inappropriate development in the Green Belt having regard to the NPPF; and
- ii) the effect of the proposal on the existing uses of the highways in the surrounding area.

Taking all this into account (set out in detail as part of the report) the Inspector concluded that the development could have a negative, but not significant, impact on features of biodiversity value for the period of the development and that the development would detract from, and be harmful to, the landscape and visual character of the surrounding area. These matters would not, however, outweigh the benefits from the investigation proposed in terms of future energy supplies, to which he gives great weight.

Having taken into account all other matters raised, including cumulative effects, the Inspector concludes that none carried sufficient weight to alter the decision subject to relevant conditions. The decision notice included thirty conditions, some of which were 'pre-commencement' conditions that have to be addressed before the development took place.

Resolved:- That the decision to allow the appeal, be noted.

8. UPDATES

The following matters were discussed:-

(1) Tour of Completed Developments 2018

Members were reminded of the arrangements for the Planning Board's tour of completed developments, which would be taking place on Friday, 22nd June, 2018.

(2) Appeal Decision - Demolition of conservatory and triple garage, conversion and extension of outbuilding to create dwellinghouse and formation of new access drive at Newcroft, 19 Woodsetts Road, Gildingwells for Mr. Standfield (RB2017/0550)

Further to Minute No. 39 of the meeting of the Planning Board held on 26th October, 2017, Members were informed that the appeal against this Council's refusal of the above application for planning permission had been allowed by the Planning Inspectorate and the planning permission had now been granted.

The Inspector considered that the extensions to the existing building are disproportionate and therefore represent inappropriate development in the Green Belt.

He felt that whilst the design was overtly modern it would respect its context and represent an appropriate contemporary interpretation of the larger dwellings in the Conservation Area whilst adding to the variety of

building styles evident in the locality. He did not consider that the new dwelling would be out of keeping with the mixed pattern of development on this edge of the Conservation Area.

In terms of the impact on nearby residents the Inspector noted that, whilst the proposed development included a new drive and would increase vehicular usage of the existing access track, such movements would be brief and relatively infrequent, and as such the adjoining occupiers' living conditions would not be materially harmed.

He noted that the volume of the retained and extended summer house to form the proposed dwelling would be marginally less than that of the three existing outbuildings according to the appellant's calculations, which were not disputed by the Council. As a result there would be a net gain in openness, albeit very modest. Openness was one of the essential characteristics of the Green Belt according to the Framework and he gave significant weight to this argument in favour of the proposed development.

An application for costs against the Council was dismissed as the Inspector was satisfied that the Council had given reasoned arguments for each reason for refusal, referring to relevant Local Plan and National Policy.

9. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 12th July, 2018 at 9.00 a.m.

STAFFING COMMITTEE
9th May, 2018

Present:- Councillor Alam (in the Chair); Councillors Cowles, Read and Watson.

8. ACTING UP ARRANGEMENTS FOR DIRECTOR OF CHILDREN'S SERVICES

Consideration was given to the report presented by Ian Henderson, Senior Employee Relations Officer, which detailed the request for the Staffing Committee to review the interim arrangements and cover for the Director of Children's Services position pending the recruitment of a replacement.

This would facilitate and maintain continuity of service should it be agreed that the Deputy Director of Children's Services covered the role in the interim and that this additional responsibility was recognised with an additional salary payment.

The Committee were advised and noted that discussions had already taken place with the Head of the Paid Service to backfill the role of the Deputy Director of Children's Services should she be approved as the interim Director of Children's Services. It was, therefore, proposed to split the Children and Family and Education responsibilities of the substantive post to provide a development opportunity for two existing Officers, a Children's Social Care Head of Service and an existing Assistant Director in the Directorate. In recognition of the additional responsibilities it was, therefore, proposed that additional payments be made accordingly.

Members were, therefore, advised that a decision from the Committee was only required in relation to the acting up arrangements for the Director of Children's Services role.

Resolved:- (1) That the interim proposal for the acting up arrangements for the Director of Children's Services be approved.

(2) That the decision to backfill and split the duties of the Deputy Director's role, as a development opportunity for two existing officers, be noted.

LICENSING SUB-COMMITTEE**22nd June, 2018**

Present:- Councillor Jones (in the Chair); Councillors Taylor and Vjestica.

LICENSING ACT 2003 - PREMISES' LICENCE - CAR PARK OF THE THREE HORSESHOES, BAWTRY ROAD, WICKERSLEY

The Sub-Committee considered an application for the grant of a premises licence, in accordance with the provisions of the Licensing Act 2003, in respect of a mobile trailer for the sale of food (“the premises”) to be sited for temporary periods within the car park of the Three Horseshoes public house, 133 Bawtry Road, Wickersley. The two joint applicants operated a business known as Spud Buddies from the mobile trailer and were applying for the grant of a premises licence for the one licensable activity of the provision of late night refreshment.

The Licensing Authority had received representations from the local Borough Councillors for the electoral Ward and from the Wickersley Parish Council which were not withdrawn and the Sub-Committee considered those representations. It was noted that one other representation, submitted by a resident living within the local area, had been withdrawn.

This application was for the grant of a premises licence for the provision of late night refreshment, as follows:-

- i) For the sale from the mobile unit of hot jacket potatoes and seasonal fillings, hot drinks and cold drinks in cans (nb: there was no application for a licence for the retail sale of alcohol);
- ii) The provision of late night refreshment between the hours of 23:00 hours and 02:00 hours on Fridays, Saturdays, Sundays and Bank Holidays.

The applicants informed the Sub-Committee of the nature of this small business and the quality of food provided and explained that the business had operated in this area for the past four weeks (at times in the evening when a premises licence had not been required to be in place). There had been compliments expressed about the business and about the food and a base of customers had already been established. The mobile unit was powered by electricity and therefore did not cause excessive noise. Such noise as may be caused late at night would be limited to a period of approximately twenty minutes when the trailer unit was being hitched to the car of one of the applicants. The trailer unit would be parked on site only at the times the business was operating and would be driven away each night. One or other of the two joint applicants would always be present on site during the operation of the business and other family relatives would assist them at some times. The applicants also explained the regular litter picking and clearing they would undertake in the areas of

car park and highway around the location of the trailer unit. The landlord of the public house would allow the litter and any waste from the trailer unit to be placed in the waste bins at the public house. There had been no complaints addressed directly to the applicants during the previous four weeks' of operation of the business.

The representation from the local Ward Councillor referred to concerns about anti-social behaviour in the area, which may be exacerbated by persons remaining in the area outside the Three Horse Shoes public house and purchasing food from the premises/trailer unit during the night. The night time economy in this area of Wickersley was already well-served by licensed premises and was popular and successful, attracting visitors from places beyond the immediate area and the wider village. This popularity was inevitably accompanied by anti-social behaviour including noise, boisterous and rowdy behaviour and sometimes other, more obscene behaviour. The South Yorkshire Police were usually present in the area on Friday and Saturday nights in order to ensure public order. The increase in crime and disorder in this locality had previously been acknowledged by the South Yorkshire Police. The Three Horse Shoes public house was situated adjacent to a very busy dual carriageway road and there were many residential properties adjacent to and in the vicinity of these premises. The area of highway outside the public house provided a convenient space for taxis to arrive, collect passengers and clear the area of people as the evening ended. The presence of this food vending business was likely to cause people to gather outside the public house and wait in the highway to be served. This factor would cause congestion, restrict the movement of the taxis and other motor vehicles and inevitably be the cause of excessive noise which would disturb the occupants of the residential premises.

The representation from the Member of the Wickersley Parish Council mentioned the number of complaints which the Parish Council had received from parishioners about anti-social behaviour and noise nuisance in this area of Wickersley near to the Three Horse Shoes public house. None of the people who had raised these issues with the Parish Council had stated any support for this premises licence application. Reference was made to the number of events taking place throughout the year in Wickersley, for which licences were required. In the past there had been complaints about noise nuisance from some of these events, requiring the attention of the Borough Council's Environmental Health service. The area was well served by licensed premises and many would provide late night refreshment served indoors and consequently there was no need for this type of food vending facility situated outdoors. The Parish Council sought to protect the character of the village and the presence of this type of licensed premises was contrary to that aim. It was known that there were likely to be other applications for licensed premises to be situated in this area and a surfeit of this type of premises would spoil the character of this part of the village. There were also doubts as to whether the applicants would fulfil their stated aim of litter clearing and picking, as the village has experience of other businesses not fulfilling similar stated

aims. The clearing of litter from the streets was a specific burden upon the finances of the Parish Council and upon the Parish residents as taxpayers.

The local Ward Councillor made reference to cumulative impact policies, which were not included in the Licensing Act 2003 but have been mentioned in Home Office guidance (March 2015) issued in accordance with Section 182 of the Act. The cumulative impact means the potential impact on the promotion of the Licensing objectives of a significant number of licensed premises concentrated in one area.

The Sub-Committee was satisfied that the measures to be put in place by the applicants to minimise the possibility of any anti-social behaviour at or near the premises were sufficient. In particular, the Sub-Committee noted that there would be signs on display encouraging people to leave the area quietly and with respect for local residents, litter bins would be provided on site and there would be no seating so that, ordinarily, people would purchase their food and leave the area. The Sub-Committee also heard from the applicants that they would be prepared to reduce the hours of opening of their business to coincide with the hours of other licensed premises in this neighbourhood.

In conclusion, the Sub-Committee took due note of all of the written representations made and also of the fact that there had been no representations made by the South Yorkshire Police in respect of this application. The Sub-Committee did consider, in response to the concerns expressed about the anti-social behaviour in the local area of some persons leaving licensed premises late at night, that it would be appropriate for the hours of operation of this premises licence to accord with those of other licensed premises in the vicinity. During the meeting, Members of the Sub-Committee had been informed of the hours of operation of these other licensed premises, some of which were situated very near to the Three Horse Shoes public house.

The Sub-Committee considered the application for this premises licence and the representations made specifically in the light of the following Licensing objectives (as defined in the 2003 Act):-

- The prevention of public nuisance;
- Public safety.

At the beginning of the meeting, the Sub-Committee heard concerns about the employment of one of the applicants with the Borough Council and whether the knowledge gained from that employment had been advantageous in the process of submission of the application. There was also a question as to whether the applicant had obtained the permission of his employer to undertake a business operation in addition to his employment with the Borough Council. A further concern was expressed about the applicants having entered into a verbal agreement with the landlord of the public house for the siting of the mobile trailer within the

car park of the public house, whereas the permission of the owner of the public house premises had neither been sought nor obtained. The Sub-Committee acknowledged these concerns but as they were outside the ambit of the Licensing Act 2003 they could not be taken into consideration in determining this application for the grant of the premises licence.

Resolved:- (1) That, subject to (2) below, the application for the grant of a premises licence, in accordance with the provisions of the Licensing Act 2003 in respect of the premises known as the Spud Buddies (mobile trailer), to be sited within the car park of the Three Horse Shoes public house, 133 Bawtry Road, Wickersley shall be approved and the licence granted.

(2) That the premises licence shall be for the provision of late night refreshment only and the permitted hours of operation of the premises licence shall be as follows:-

Fridays and Saturdays : 2300 hours until 0100 hours
Sundays and Bank Holidays : 2300 hours until 0030 hours.

(Before the meeting began, the Sub-Committee had been informed of issues concerning possible conflicts of interest, as follows:-

(a) The Borough Council solicitor advising the Sub-Committee on matters of the law had, in the ordinary course of her duties, provided legal advice on other unrelated matters to one of the applicants who was also an employee of the Borough Council; the solicitor assured the Sub-Committee that neither those duties nor her knowledge of the applicant would influence the way in which she would advise the Sub-Committee; the applicant accepted the solicitor's explanation and raised no objection to the solicitor advising the Sub-Committee;

(b) In similar vein, the Borough Council solicitor stated that she would also advise the Licensing Board and the Licensing Committee (and their associated Sub-Committees) on matters of law and one of the people making representations at this meeting was Councillor S. Ellis, who is Chair of both the Board and of the Committee (and of the Sub-Committees); Councillor Ellis stated that she understood the circumstances and would raise no objection to the solicitor advising the Sub-Committee;

(c) Councillor S. Ellis informed the meeting of her special responsibility and role within the Borough Council as Chair of both the Licensing Board and of the Licensing Committee; Councillor Ellis explained that her involvement in this Sub-Committee meeting was in her role as a Borough Councillor for the electoral Ward and that she would make representations to the Sub-Committee accordingly; it was confirmed that Councillor Ellis was consequently not a member of the Sub-Committee which would determine this application for the grant of a premises licence and that she would take no part in the Sub-Committee's decision)



SHEFFIELD CITY REGION COMBINED AUTHORITY

THE AMP TECHNOLOGY CENTRE, WAVERLEY, ROTHERHAM, S60 5WG

MINUTES OF THE MEETING HELD ON 11 JUNE 2018

PRESENT:

Mayor Dan Jarvis, Sheffield City Region (Chair)

Councillor Graham Baxter MBE, North East Derbyshire DC
Councillor Julie Dore, Sheffield CC
Councillor Tricia Gilby, Chesterfield BC
Councillor Simon Greaves, Bassetlaw DC
Councillor Sir Steve Houghton CBE, Barnsley MBC
Mayor Ros Jones CBE, Doncaster MBC
Councillor Ann Syrett, Bolsover DC

Fiona Boden, SCR Exec Team
Huw Bowen, Chesterfield BC
Andrew Frosdick, Monitoring Officer
Mark Lynam, SCR Exec Team
Dave Smith, SCR Exec Team
Daniel Swaine, Bolsover DC / NE Derbyshire DC
Craig Tyler, Joint Authorities Governance Unit
Eugene Walker, S.151 Officer
Steve Davenport, SYPTE
Andrew Gates, SCR Exec Team
Jayne Hampshire, SCR Exec Team
Jeni Harvey, SCR Exec Team
James Henderson, Sheffield CC
Claire James, SCR Exec Team
Felix Kumi-Ampofo, SCR Exec Team
Christine Marriott, SCR Exec Team
Mel Dei Rossi, SCR Exec Team
Mike Thomas, SCC / SCR Exec Team

Apologies for absence were received from Councillor C Read, Councillor L Rose OBE, R Adams, S Kemp, J Mothersole, J Miller, N Taylor and D Terris

Chair's Introduction

The Chair welcomed Members, officers and the members of the public present to the first meeting of the SCR Mayoral Combined Authority and noted he was looking forward to working with everybody.

1 VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS

It was agreed there were no agenda items for which the non-Constituent Members should not have full voting rights.

2 APPOINTMENT OF VICE CHAIR

The Chair proposed Cllr Chris Read (Rotherham MBC) be appointed Vice Chair of the Authority.

It was noted there would be a clear distinction between the role of the Vice Chair to the Authority, and any appointed Deputy Mayor, and confirmed the Vice Chair would not be taking on any mayoral duties.

It was confirmed this distinction would be set out in the revised SCR Constitution.

RESOLVED, that Cllr Chris Read be appointed Vice Chair of the SCR Combined Authority.

3 APPOINTMENT OF ROTATIONAL MEMBERS FOR 2018/19

A report was received to inform the Authority of the second rotational Member appointments, required to ensure the Authority has a majority of constituent Members.

RESOLVED, that the Authority notes the appointment of Cllr Joe Blackham (Doncaster MBC) and Cllr Denise Lelliott (Rotherham MBC) as the second rotational Members for the 2018/19 municipal year.

4 APPOINTMENT OF AUDIT COMMITTEE MEMBERS AND INDEPENDENT PERSONS

A report was received to request the Authority notes the elected Member appointments to the SCR Audit Committee and to invite consideration of matters regarding the appointment of Independent Persons to the Committee.

The Authority was reminded of the requirement for the Audit Committee to maintain political balance based on the proportionality of the SCR's constituent area. It was therefore noted an additional seat on the Committee was to be afforded to a Liberal Democratic member and officers would be making provision for an appointment in due course.

Members were reminded of the statutory requirement to appoint at least one Independent Person to the Audit Committee and advised of the process undertaken to identify potential candidates in compliance with relevant guidance on this matter.

Members were asked to approve a proposal to remunerate the Independent Persons at a rate of £312.50 per meeting to cover for preparatory time, travelling time and meeting time. In consideration, the Authority determined to remunerate Independent Members on an annual basis, rather than a per-meeting basis, based on the assumption of 4 meetings per year and therefore totalling £1,250 per annum.

RESOLVED, that the Authority:

1. Approves the elected Member appointments to the SCR Audit Committee.
2. Approves the appointment of a further member(s) to achieve political balance.
3. Approves the appointment of Angela Marshall and Rhys Jarvis as the Independent Persons to the SCR Audit Committee, and the remuneration of £1,250 per annum, based on the assumption of 4 meetings per year.

5 APPOINTMENT OF OVERVIEW AND SCRUTINY COMMITTEE MEMBERS AND CHAIRING ARRANGEMENTS

A report was received to request the Authority notes the elected Member appointments to the SCR Overview and Scrutiny Committee, to request the Authority determines a preference for an “independent” or “appropriate” Chair of the Committee and to note the requirement to appoint an additional Member(s) to maintain political balance.

The Authority was reminded of the requirement for the Audit Committee to maintain political balance based on the proportionality of the SCR’s constituent area. It was therefore noted an additional seat on the Committee was to be afforded to a Liberal Democratic member and officers would be making provision for an appointment in due course.

In consideration of charring arrangements, the Authority expressed a preference for the appointment of an “appropriate” Chair, that being a sitting councillor representative of a different political party to the Mayor.

Members thanks the outgoing Chair, Cllr John Shephard for charring the Committee since its inception.

Members were informed a Member had expressed a willingness in-principle to consider taking on the Chair of the Committee.

RESOLVED, that the Authority:

1. Determines a preference for the appointment of an appropriate Chair of the SCR Overview and Scrutiny Committee and instructs officers to make provision for this decision in accordance with relevant legislation.
2. Approves the Overview and Scrutiny Committee membership for 2018/19

3. Approves the appointment of a further member(s) to achieve political balance.

6 APPOINTMENT OF DATA PROTECTION OFFICER

A report was received to remind the Authority that as per the General Data Protection Regulation (GDPR) which came into force on 25th May 2018, there is a requirement to formally appoint a Data Protection Officer.

RESOLVED, that the Authority appoints Stephen Davenport, Principal Solicitor and Secretary of South Yorkshire Passenger Transport Executive as an Officer of the Combined Authority and designate him the SCR Mayoral Combined Authority Data Protection Officer in accordance with the requirements of Article 37 of the General Data Protection Regulations.

7 REVIEW OF TFN NOMINATIONS

A report was received recommending the appointment of the Mayor as the SCR's representative on the Transport for the North (TfN) Board.

Cllr Dore suggested it was critical the Mayor takes on this role given TfN's new statutory body status and the need to ensure the best interests of the region are appropriately represented.

Cllr Greaves requested the importance of TfN and its plans to the SCR's non-Constituent area not be forgotten.

RESOLVED, that the Authority:

1. Appoints the SCR Mayor to the position of TfN Board member for Sheffield City Region.
2. Notes the nomination of a substitute representative is to be determined upon the conclusion of a review into governance and lead member responsibilities.

8 APOLOGIES

Apologies were noted as above.

9 ANNOUNCEMENTS

None.

10 URGENT ITEMS

None.

11 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

RESOLVED – that item 27 (Item 19 Appendix – Inward Investor) be received in the absence of the public and press,

12 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

As Leaders of their respective Local Authorities, Cllr Dore and Mayor Jones declared interests in the schemes to be considered at item 19 and 27 and took no part in the debate in respect of these items.

13 REPORTS FROM AND QUESTIONS BY MEMBERS

None received.

14 RECEIPT OF PETITIONS

The Authority was advised of the receipt of a 30 signature petition from Mr Adam Allcroft. It was noted Mr Allcroft is petitioning for the introduction of a bus service from Chapeltown to Meadowhall via Ecclesfield on the grounds that many residents of North Sheffield are unable to access Meadowhall directly by bus for work and leisure purposes.

RESOLVED, that the Authority directs officers of SYPTE to respond to Mr Allcroft on its behalf.

15 PUBLIC QUESTIONS

The Authority was advised of the receipt of 2 public questions.

From Mr Nigel Slack - What progress has been made in bringing Barnsley & Doncaster Councils back to supporting the deal currently on the table, before progressing any potential 'One Yorkshire' proposals? In particular, what meetings has the Mayor held with the Leaders of the four Constituent Authorities with respect to this issue?

Responding to this question, the Chair noted he has held regular meetings with the Leaders to discuss matters regarding devolution. The Chair noted that, as referenced in his election manifesto, he views devolution to be a process not an event and will therefore continue to work closely with the Leaders of South Yorkshire and further afield to make the most of the opportunities devolution affords.

From Cllr Chris Furness - Combined Authority Scrutiny and Audit committee meeting are webcast live, so shouldn't the Combined Authority meetings also be webcast Live?

Responding to this question, the Chair emphasised the importance of transparency in the decision making process, but noted the established venue for Combined Authority meetings doesn't have the equipment installed to facilitate this service. It was confirmed the potential for webcasting Combined Authority meetings would be looked at carefully going forward.

16 MINUTES OF THE MEETING HELD ON 9TH MARCH

RESOLVED, that the minutes of the meeting held on 9th march are agreed to be an accurate record of the meeting.

17 CONSTITUTION

A report was received requesting approval of the amendments to the SCR CA Constitution to reflect the change required following the election of the Mayor and to reflect legislative changes since the last constitution was approved.

The Authority was informed further amendments were to be incorporated in respect of; clarification of the separation of the SCR Authority Vice Chair and SCR Deputy Mayor appointments, the “appropriate” chairing of the SCR Scrutiny and Overview Committee, remuneration of Independent Persons appointed to the SCR Audit Committee, clarification of the procedural rules around the receipt of public questions, and the renaming of the Audit Committee to the Audit and Standards Committee.

RESOLVED, that the Authority approves the revised Constitution, subject to the inclusion of the above amendments.

18 LGF CAPITAL PROGRAMME 2017/18 OUTTURN POSITION

A paper was presented to provide the Authority with an update on the 2017/18 LGF programme outturn position.

It was reported the final outturn position for 2017/18 was expenditure of £78.2m against an indicative funding allocation of £78.19m when the budget was set in March 2017. However, the actual grant allocation from the MHCLG (Ministry of Housing, Communities and Local Government) received in April 2017 was £86.9m, a difference of £8.9m. There has therefore been an underspend of £8.66m against the increased 2017/18 grant allocation.

It was noted the outturn position therefore equates to 100% of the indicative allocation and 90% of the actual allocation. Discussions are continuing with MHCLG regarding the spend profile of the additional 2017/18 grant allocation as the programme profile requires this funding in 2019/20.

The Authority was advised that slippage against delivery milestones has been a continued feature of the LGF programme to date. Resource intensive mitigations have had to be implemented in each of the previous two years to ensure no loss of funding to the LEP programme. It was therefore suggested the challenge for the final three years of the programme is ensuring delivery of schemes to achieve the outputs and outcomes the LEP agreed as part of the growth deal.

It was noted the grant determination letter has been received for 2018/19. This sets the budget at £42.5m grant, and is 100% of the expected in year allocation.

The Members reasserted comments that MCHLG's awarding of budgetary allocations one year at a time is not a sensible way to manage a capital programme and longer term settlements, and a longer term approach (i.e. two year approach) to carrying over underspend, are needed.

RESOLVED, that the Authority notes the 2017/18 LGF capital programme outturn position.

19 LGF CAPITAL PROGRAMME AND APPROVALS

In line with the approved Assurance Framework, a paper was tabled presenting the LGF Financial Approvals which have progressed through the appraisal process.

RESOLVED, that the Authority:

1. Approves the Infrastructure projects subject to the conditions set out in the report
 - a) Inward Investor - £4.1m (See item 27)
 - b) DMBC Quality Streets - £1.35m
 - c) SCC Upper Don Valley Flood Alleviation Scheme - £3.46m
2. Notes the changes approved using the delegated authority to the Head of Paid Service and Section 73 Officer in conjunction with the Chair of the MCA to maximise the outturn spend position at year end to mitigate against any potential loss of funding, in relation to FARRRS, the STEP programme and the M1 J36 (Hoyland) project.
3. Approves the delegation of authority to the Head of Paid of Service, in conjunction with the Section 73 Officer, to enter into the contractual arrangements required as a result of the above approvals.

20 CA REVENUE BUDGET, CAPITAL PROGRAMME AND TREASURY OUTTURN REPORT

A report was received to provide the outturn position for the revenue budgets and capital programme of the Sheffield City Region (SCR) Mayoral Combined Authority (MCA) for the financial year 2017/18.

It was noted this position will help to inform the process of business planning for 2019/20 and beyond.

Members requested additional information to help explain the 3 revenue budget referenced in the report.

RESOLVED, that the Authority:

1. Notes the 2017/18 outturn position (which is subject to external audit) for the Mayoral Combined Authority's revenue budget and capital programme, including the reserves statement.
2. Approves the 3 revenue programme variations as summarised in the report, noting additional supporting information will be provided.

3. Notes that the level and accounting for reserves (including the PTE revaluation reserve) will be reviewed as part of the MTFS refresh which will be presented to the MCA at its July meeting
4. Approves the carry forward of £1.510m of underspend to provide funding for the Integrated Transport Block projects listed in the report and notes that the reported over-programming of £724k will be managed out during the year

21 CA BROAD STREET WEST ASSET

A report was received to outline the work required to Broad Street West (BSW) to improve public accessibility, security and compliance of the Mayoral Combined Authority (MCA) building to ensure the building meets local authority standards and addresses security issues following a recent inspection.

RESOLVED, that the Authority notes the scheme, rationale and cost plan for the proposed improvement works to Broad Street West (BSW) and approves the progression of works.

22 DELEGATED AUTHORITY REPORT

Provided for information.

23 RESOLUTION RECORD – TRANSPORT EXECUTIVE BOARD

RESOLVED, that the decisions and recommendations contained within the report are duly endorsed.

24 RESOLUTION RECORD – HOUSING & INFRASTRUCTURE EXECUTIVE BOARD

RESOLVED, that the decisions and recommendations contained within the report are duly endorsed.

25 RESOLUTION RECORD – BUSINESS GROWTH EXECUTIVE BOARD

RESOLVED, that the decisions and recommendations contained within the report are duly endorsed.

26 RESOLUTION RECORD – SKILLS EXECUTIVE BOARD

RESOLVED, that the decisions and recommendations contained within the report are duly endorsed.

27 PAPER 19 - APPENDIX A - INWARD INVESTOR

The Authority was presented with information supplementary to that presented at item 19.

RESOLVED, that the Authority approves the award of £4.1m for the Inward Investor project for Business Investment Fund (BIF) funding noting that the agreed payment profile for the 50% repayable element will be formalised following this decision.

CHAIR



SOUTH YORKSHIRE POLICE AND CRIME PANEL – ANNUAL MEETING

IN MEETING ROOM 11, TOWN HALL, CHURCH STREET, BARNSELEY, S70 2TA

4 JUNE 2018

PRESENT: Councillor A Khayum (Sheffield City Council) (Chair)

Councillor S Sansome (Rotherham MBC) (Vice-Chair)

Councillors: B Cutts (Rotherham MBC), R Frost (Barnsley MBC), B Johnson (Sheffield City Council), M O'Rourke (Sheffield CC), J Otten (Sheffield City Council), S Wilkinson (Doncaster MBC) and D Nevett (Doncaster MBC)

Independent Co-opted Members: Mr A Carter and Mr S Chu

Dr A Billings (South Yorkshire Police and Crime Commissioner), M Buttery (Office of the South Yorkshire Police and Crime Commissioner), M Clements (Office of the South Yorkshire Police and Crime Commissioner) and F Topliss (Office of the South Yorkshire Police and Crime Commissioner)

Officers: D Cutting, M McCarthy, L Noble and M McCoolle (Barnsley MBC)

Apologies for absence were received from Councillor Dyson (Barnsley MBC) and A Shirt (Barnsley MBC)

1 APPOINTMENT OF CHAIR AND VICE CHAIR

RESOLVED – That Members agreed:-

- i) Councillor Khayum be appointed as Chair to the Police and Crime Panel for the ensuing municipal year.
- ii) Councillor Sampson be appointed as Vice Chair to the Police and Crime Panel for the ensuing municipal year.

2 MEMBERSHIP OF THE POLICE AND CRIME PANEL 2018-19

A report of the Service Director, Legal and Governance was presented to inform of the membership of the Panel for the municipal year 2018-19.

Councillor Khayum welcomed the new Members to the meeting and introductions were made. On behalf of the Panel, he expressed his gratitude to Councillors Dunn, Griffin, Sixsmith, Hughes and Mirfin-Boukouris who had served on the Panel during the 2017-18 municipal year.

RESOLVED – That Members noted the membership of the Police and Crime Panel 2018-19.

3 APOLOGIES FOR ABSENCE

Apologies for absence were noted as above.

4 ANNOUNCEMENTS

None.

5 URGENT ITEMS

None.

6 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

7 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None.

8 PUBLIC QUESTIONS:-

8A TO THE POLICE AND CRIME COMMISSIONER

None.

8B TO THE POLICE AND CRIME PANEL

None.

9 QUESTIONS FROM POLICE AND CRIME PANEL MEMBERS TO THE POLICE AND CRIME COMMISSIONER

In accordance with Procedure Rule 11 (General Questions from Members of the Panel), the following questions had been submitted:-

Received from Councillor Otten

1. “Is it the policy of SYP to report victims of crime or witnesses who report these crimes to the police to the Home Office for immigration enforcement?”

2. Now that Leveson part 2 is off, what steps have you taken or will you take to satisfy yourself that any improper dealings between members of the press and officers of SYP will be properly dealt with?"

Response

D Cutting stated that he had provided Councillor Otten with a written response (by e-mail on 21st May) setting out the reasons that the questions had not been included on today's agenda. He apologised for the oversight in not processing the questions in the appropriate manner, and which had prevented all Members of the Panel from having sight of the questions. D Cutting suggested that the questions be put to the Commissioner, in order for him to provide Councillor Otten with a written response.

10 MINUTES OF THE PREVIOUS MEETING HELD ON 20 APRIL 2018

A Carter requested that the minutes be amended to indicate that he was one of a number of representatives of the Voluntary, Community and Faith Sector in Sheffield, serving on the Sheffield Safer and Sustainable Communities Partnership Board.

Councillor Wilkinson referred to the shared learning from Rotherham MBC in relation to taxi licensing arrangements. She reiterated her concern that licensed taxi drivers from other Districts, whose vetting processes may not be as vigorous as those undertaken within South Yorkshire, were permitted to work in South Yorkshire.

Councillor Frost highlighted that he was a member of BMBC's Licensing Panel which worked closely with its counterpart panels within South Yorkshire; rigorous policies were in place to prevent taxi drivers from working across Districts without due registration.

Councillor Cutts referred to a number of taxi licenses which had been refused for not meeting the common standard, particularly within the Rotherham area.

Councillor Khayum stated that this was a matter for the licensing departments within the relevant local authorities, and not for the Panel or the Commissioner.

RESOLVED – That subject to the above requested amendment, the minutes of the Police and Crime Panel held on 20 April 2018 be agreed and signed by the Chair as a correct record.

11 ANNUAL REPORT (POLICE AND CRIME PANEL) 2017-18

L Noble presented the Annual Report (Police and Crime Panel) 2017-18, which was the first Annual Report prepared by BMBC as host for the Panel. The report demonstrated that the Panel had made improvements in the way it carried out its role, and she thanked Members both past and present, and the OPCC for the support provided.

Members were requested to provide comments on the contents of the Annual Report to L Noble by 15 June 2018; following which design work would be undertaken in-house for inclusion on the PCP website.

L Noble sought the Panel's authorisation to print 300 copies of the Annual Report for circulation to all South Yorkshire Councillors, MPs and Town and Parish Councils. This is something that West Yorkshire PCP have trialled to raise the profile of Police and Crime Panels and it had been extremely successful.

Councillor Khayum thanked those Members that had already provided comments on the Annual Report. He agreed that printed copies of the Annual Report would help to raise the profile of the Panel. He sought the Panel's approval to allocate funding for printed copies of the Annual Report.

L Noble stated that she would inform the Panel of the total printing cost of the Annual Report, and it may be appropriate to review the effectiveness of this spend during the year (prior to the production of the 2018-19 Annual Report).

RESOLVED – That Members:-

- i) Agreed to provide L Noble with comments on the Annual Report by 15 June 2018.
- ii) Agreed to allocate funding for printed copies of the Annual Report.

12 ENGAGEMENT ACTIVITY - FEEDBACK ON TRUST AND CONFIDENCE

A report of the Commissioner was presented to provide Members with an overview of the results of an independent assessment of the levels of trust and confidence in South Yorkshire Police (SYP).

An independent survey had been carried out between October and December 2017, by SMSR Ltd, an independent research organisation, to obtain the views of hard-to-reach communities in South Yorkshire; over 4,400 face-to-face surveys had been undertaken. F Topliss provided the Panel with a summary of the key headlines arising from the outcome of the survey, which had demonstrated that the communities across South Yorkshire had a high level of trust and confidence in SYP, and that residents were generally satisfied with the service received from SYP.

A 12-week engagement improvement plan had commenced across the Districts as a result of the surveys, to include PACT meetings and to improve marketing on the SYP website and social media. Over 10,000 individuals had signed up to receive the SYP community alerts, and PCSOs would undertake greater visible engagement. Each District would produce a report upon conclusion of the 12-week engagement improvement plan.

Councillor Wilkinson requested a definition of BAME, as referred to within the report, as she felt it did not adequately cover the Eastern European communities.

F Topliss agreed to provide Members with a definition.

Councillor Cutts referred to the survey comparisons which had indicated that young people were more satisfied with SYP in comparison to the elderly.

F Topliss highlighted that the survey was undertaken on the basis of trust and confidence, and not necessarily on the levels of crime.

The Commissioner stated that the survey was currently utilised to establish a baseline for the residents in South Yorkshire. A total of 5 murders had been encountered within South Yorkshire over the past 21 days, which was unprecedented; SYP had reacted very quickly to the incidents.

Councillor Otten referred to an incident that had occurred outside of South Yorkshire, involving a female of ethnic minority who had been raped. She had reported the incident to the local police, but she had then been detained on immigration grounds. He queried whether this would happen within South Yorkshire.

The Commissioner stated that each case had to be taken on its own merit and dealt with accordingly. He had no reason to suspect that SYP, who are in dialogue with a whole host of agencies, did not deal with victims of crimes in an appropriate way.

Councillor Sansome queried the measures that would be taken to increase the public's confidence in the SYP Neighbourhood Policing Teams. He requested that a report be submitted to the Panel in relation to the outcomes of neighbourhood policing initiatives.

F Topliss stated that the survey had been carried out at the point when SYP had moved into the embedding process around neighbourhood policing.

S Chu felt that it was a very positive report, which highlighted the public's trust and confidence in SYP, in comparison to the way in which SYP had been portrayed within the national media. He was encouraged to learn that black and ethnic minority approval of SYP was high in particular to 'stop and search'.

RESOLVED – That Members:-

- i) Noted the contents of the report.
- ii) Be provided with the definition of BAME used in the survey.
- iii) Noted that a report be submitted to a future Panel meeting in relation to the outcomes of neighbourhood policing.

13 ARTIFICIAL INTELLIGENCE

A report of the Police and Crime Commissioner was presented to provide Members with research material on artificial intelligence in policing.

A Carter thanked the Commissioner for the report submitted, following his request at the last Panel meeting for Members to be kept apprised of any ongoing developments on the impact of South Yorkshire, and in any other areas where artificial intelligence was being trialled. He was surprised to learn from the report that SYP currently had no plans to introduce artificial intelligence, and he suggested the need for SYP to be conscious of the new technologies being deployed globally. He considered that it was important for Members to be made aware of any issues arising via regular reports to the Panel at 6 monthly intervals.

The Commissioner stated that SYP was currently considering artificial intelligence, but that there were no firm plans for implementation; any matters of interest would be brought to the Panel's attention.

Councillor Wilkinson queried how confident the Commissioner was that SYP officers were fully conversant and competent in the use of the technology associated with artificial intelligence gathering. She highlighted the importance for officers to input data correctly when determining whether to retain an individual within the custody suite, based upon the likelihood of an individual reoffending.

The Commissioner referred to the large amount of work to be undertaken to ensure that officers were fully conversant in this area. Durham Constabulary had introduced an artificial intelligence system within their custody suite, which enabled a Custody Sergeant to swiftly make a decision as whether to retain an individual.

M Buttery suggested that it would be helpful to define within the report, to be presented to the Panel in 6 months' time, the areas that SYP was working towards, the technology being utilised for analysis and the task of replacing human judgement.

RESOLVED – That Members:-

- i) Noted the contents of the report and commented on any matters arising.
- ii) Noted that a report on artificial intelligence (and wider technology utilised by SY Police) would be presented to the Panel in 6 months' time.

14 ATLAS COURT/CONTACT MANAGEMENT: PROGRESS UPDATE

Members noted a reported increase in the performance and morale of SYP officers at the Atlas Court call centre over the last 6 months. The Royal College of Policing staff were helping in progressing the Wellbeing Plan; all outstanding vacancies had been filled, and the SYP officers that had been drafted in to cover those vacancies within the scheme had now ceased.

The Connect System, the internal communication system, had been implemented at Atlas Court before the end of December 2017 and was embedding and operating successfully. The majority of training for Smart Contact had now been completed.

The Commissioner provided SYP call handling data to Members; it was envisaged that a replacement 101 system would be implemented shortly. Positive feedback had been reported in relation to the latest inspection on crime data and the integrity of calls listened to. The increased demands on the police service nationally continued to be a significant issue.

Councillor Sansome requested the OPCC Communications Team provide a briefing note to the local authorities to explain the delay in implementing the replacement 101 system. He offered his assistance to the OPCC on the matter.

RESOLVED – That Members noted:-

- i) The verbal update.
- ii) That the OPCC Communications Team would provide a briefing note to each of the four local authorities in relation to the delay in implementing the replacement 101 system.

15 PCC GOVERNANCE STRUCTURE

A report of the Police and Crime Commissioner (PCC) was submitted to provide Members with information on the PCC's governance arrangements. In the Summer of 2016, the PCC's Chief Executive and Solicitor had initiated a review of the PCC's arrangements in respect of the governance (holding to account) of South Yorkshire Police.

Councillor Sansome expressed concern that the report did not include any narrative regarding the actions implemented on the closure and timescale of issues.

M Buttery stated that the Governance Action Plan was published with the Statement of Accounts each year and had been drafted for sign-off by the Commissioner; she would provide Members with a copy of the document.

Councillor Sansome queried the benefits that the Public Accountability Board (PAB) provided in holding the Chief Constable and SYP to account, and the potential duplication / overlap with the work of this Panel. He requested that Members be provided with a briefing note on the benefits of the PAB.

The Commissioner stated that the PAB provided an opportunity for major issues to be raised with SYP and himself in the public arena; following which a document detailing pertinent information from the meeting would be published on the SYP website.

RESOLVED – That Members:-

- i) Noted the contents of the report.
- ii) Be provided with the draft Governance Action Plan.

- iii) Be provided with a briefing note advising of the benefits of the Public Accountability Board (PAB).

16 RULES OF PROCEDURE - SUGGESTED AMENDMENTS

A report of the Solicitor/Panel Legal Adviser was submitted to provide Members with suggested revisions to the Rules of Procedure, which were kept under review and were last updated and approved by the Panel on 29 September 2017. Members recalled the informal reflection and work planning session that had been facilitated by Frontline Consulting on 18 April 2018, which had provided helpful suggestions by building on best practice from other Panels.

Members reviewed the Rules of Procedure, and a number of additional amendments were identified at paragraph 11.

Councillor Wilkinson queried how items for inclusion onto the Panel's work programme were determined.

L Noble commented that since BMBC had taken on support for the Panel, the work programme had become a standard agenda item. Members were able to suggest items for the inclusion onto the work programme, which would be discussed with the Chair and Vice Chair at the agenda planning sessions with the PCC.

RESOLVED – That Members:-

- i) Noted the report.
- ii) Approved the amendments to the Panel's Rules of Procedure (as detailed in paragraphs 5 – 12 of the report now submitted) with immediate effect.

Councillors Otten and Cutts voted against the decision

- iii) Agreed to amend the Panel's agenda for future meetings with immediate effect.

17 DECISION LOG (PCC)

A report was presented to provide Members with information on the decisions taken by the Police and Crime Commissioner (PCC) since the last Panel meeting.

A Carter had recently attended a Sheffield Safer and Sustainable Community Partnership Board meeting which had discussed the proposed community grant funding allocations. He made a plea for a slightly larger funding allocation to be made available to the third sector organisations, in particular to those organisations that provided services through the community grant scheme to support the work of the PCC and the SYP.

The Commissioner stated that over £1m of funding would be provided to the third sector organisations from the OPCC; any increase in the level of funding would impact upon the SYP budget.

RESOLVED – That Members noted the contents of the report and commented on any matters arising.

18 FEEDBACK FROM Y&H REGIONAL NETWORK MEETING, 23 MAY 2018

On behalf of the Panel, Councillor Sansome and L Noble had attended the inaugural meeting of the Yorkshire and Humberside Regional Network Meeting held on 23 May 2018, which had been facilitated by Frontline Consulting.

The meeting had provided a good opportunity to pick up on best practice, and it had identified that all Police and Crime Commissioners shared the same concerns and issues. L Noble would provide Members with the minutes of the meeting. She suggested that an Independent Member should attend the next Yorkshire and Humberside Regional Network Meeting in September 2018, together with Councillor Sansome and herself. The Network provided for a maximum of three attendees per Panel.

Members noted the update in respect of the recently established National Association of Police and Crime Panels. An inaugural meeting had been held in March 2018, with the next meeting scheduled in the Autumn as part of the National PCPs Conference in Warwick.

The work of this body would complement the National Association of Police and Crime Commissioners which was the national body that supported the Police and Crime Commissioners (PCCs), and other local policing bodies across England and Wales, to provide national leadership and influence change in the policing and criminal justice landscape.

Councillor Sansome said that North Yorkshire PCP, and West Yorkshire PCP had both invited the HMICFRS to attend an informal Panel meeting to elaborate on inspection reports. He felt that this could be something South Yorkshire might replicate, although there would need to be clear parameters to invite the HMICFRS.

The Y&H Network had also noted that the consistent membership of West Yorkshire Police and Crime Panel was a clear benefit, and that they worked collectively on the agenda and reports before them to hold the Police and Crime Commissioner to account, without becoming involved in any side issues. This resulted in positive meetings with the Panel fulfilling its role.

Councillor Sansome suggested that links be strengthened with the Overview and Scrutiny Committees at the four local authorities to ensure there is no duplication. In addition, at the conclusion of each West Yorkshire Police and Crime Panel meeting, Members held an informal de-brief in relation to what had gone well / not so well, and he asked Members to give that some consideration.

Another area of best practice from West Yorkshire PCP was the issuing of a press release after each meeting – depending on the issues discussed. This also served to raise the profile of the Panel. Councillor Sansome suggested that this Panel should give further consideration to adopting this practice.

Councillor Khayum thanked Councillor Sansome and L Noble for their attendance at the meetings.

RESOLVED – That Members:-

- i) Noted the verbal update.
- ii) Be provided with the minutes of the inaugural meeting of the Yorkshire and Humberside Regional Network Meeting held on 23 May 2018.

19 LEARNING AND DEVELOPMENT - UPDATE

L Noble stated that at the start of each municipal year, she would email newly appointed Members on the Panel, to arrange an Induction and to discuss any learning and development requirements to assist them in their role. Existing Members will also be given the same opportunity, and the outcomes will help to formulate the 2018-19 Learning and Development Schedule.

RESOLVED – That:-

- i) Contact would be made with the newly appointed Members on the Panel to arrange Induction and to identify any learning and development requirements.
- ii) Existing Members would also be provided with the same opportunity.

20 WORK PROGRAMME

Members considered the 2018/19 Work Programme.

L Noble informed Members of a proposal to align the work of the Commissioner's Public Accountability Board with the work of the Panel to ensure the reports submitted are timely. She reiterated that Members wishing to suggest items for the work programme should do so via herself, and these would be considered by the Chair and Vice-Chair at their pre-agenda planning meetings with the PCC.

Councillor Wilkinson referred to the 'Inspire to Change' leaflet that had been provided to Members, together with the app that SYP was developing with an outside partner for victims of domestic abuse. She queried whether the Panel could review the success of both programmes after they had run for a period of 6 - 9 months, to ascertain whether there had been a reduction in the number of domestic violence cases, and to determine whether a reference to domestic violence could be included within the Police and Crime Plan.

L Noble would discuss the matter further with the Police and Crime Commissioner.

RESOLVED – That Members:-

- i) Noted the contents of the 2018/19 Work Programme.
- ii) Officers would discuss with the PCC whether a report reviewing the success of programmes aimed at reducing domestic abuse could be submitted to the Panel.

21 DATE AND TIME OF NEXT MEETING

RESOLVED – That the next meeting of the Panel will be held on Monday 2 July 2018, at 1.00 pm in Room 11 at the Town Hall, Church Street, Barnsley, S70 2TA.

CHAIR