

**COUNCIL MEETING  
5th September, 2018**

Present:- The Mayor of Rotherham (Councillor Alan Buckley) (in the Chair); Councillors Alam, Albiston, Allcock, Allen, Atkin, Beaumont, Bird, Brookes, Cooksey, Cowles, Cusworth, D. Cutts, Elliot, M. Elliott, R. Elliott, Ellis, Evans, Fenwick-Green, Hoddinott, Ireland, Jarvis, Jepson, Keenan, Lelliott, McNeely, Mallinder, Marles, Napper, Pitchley, Read, Reeder, Roche, Rushforth, Russell, Sansome, Senior, Sheppard, Short, Simpson, Steele, Taylor, John Turner, Julie Turner, Tweed, 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>

**50. ANNOUNCEMENTS**

The Mayor was pleased to present his activity since the last Council meeting which was attached for information to the Mayor's letter. In doing so he wished to draw particular attention to the forthcoming Rotherham Show on the 8th and 9<sup>th</sup> September, 2018.

**51. MINUTE'S SILENCE**

The Mayor invited Members, officers and the public to join in him a minute's silence following the recent deaths of Barry Elliott and former Mayor and Councillor, Peter Wootton.

**52. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Andrews, Beck, Carter, Clark, B. Cutts, Hague, Khan, Jones, Price and Vjestica.

**53. COMMUNICATIONS**

There were no communications received.

**54. MINUTES OF THE PREVIOUS COUNCIL MEETING**

**Resolved:-** That the minutes of the meeting of Council held on 25<sup>th</sup> July, 2018, be approved for signature by the Mayor.

Mover:- Councillor Read

Second:- Councillor Watson

**55. PETITIONS**

The Mayor reported receipt of four petitions, three of which had not met the threshold for consideration by Council, and would be referred to the relevant directorate for a response to be prepared. The petition calling for CCTV in the memorial garden in Clifton Park which would be referred for consideration by the Overview and Scrutiny Management Board:-

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- From the Stand Up for Rotherham Group calling on the Chief Executive of Rotherham Metropolitan Borough Council (RMBC) to write a letter of apology to every individual who did not have an annual assessment completed, as best practice required, under the Care Act 2014 between 1st August, 2017 and 31st July, 2018 and to state publicly how many individuals this affects.

Mr. L. Harron addressed the Council as part of the presentation of the petition seeking a letter of apology for every individual from the Chief Executive who had not had an annual assessment.

- Containing 1,921 signatures calling for CCTV in the memorial garden in Clifton Park.

Councillor Cooksey addressed the Council on behalf of the Spafford Family who were seeking CCTV to prevent further vandalism and make safe the quiet area of the memorial garden.

- Containing 300 signatures calling on the Council to provide for a Barber's Avenue Community Park.
- Containing 61 signatures opposing the proposed demolition of the former Kimberworth Infants School.

Mr. R. Wainwright addressed the Council requesting reconsideration of the demolition of the former Kimberworth Infants School and for this building to become a self-financing community hub.

### 56. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

### 57. PUBLIC QUESTIONS

**(1) Mr. L. Harron** asked following his question at the last Council meeting and the Leader's response, what action was taken after a Legal Officer referred his concerns on 12th January, 2016 to the Interim Director of Legal Services and Monitoring Officer and the Deputy Monitoring Officer. Further details on this matter had been provided by email on 25th July, 2018.

The Leader confirmed the Interim Director of Legal Services left the authority in March, 2016, and it was not possible to say what action was taken in response to the email.

When the Chief Executive met Mr. Harron in July, 2017 she confirmed that an independent review of his concerns would be welcome, but that it needed to be dealt with by the Information Commissioner and that the Council would take action based on the outcome of that review.

Mr. Harron raised his concerns with the Information Commissioner, who published their decision notice on 7th December, 2017. The Commissioner's decision was that the Council did not hold the requested information and had, therefore, complied with Section 1 of the Freedom of Information Act, but had failed to respond to the request within the twenty working day time limit.

The Leader believed Mr. Harron then raised the same concerns when he appealed to the First Tier Tribunal and that his appeal was heard last week and the Council was waiting for the outcome.

The Council's position remained that it would consider the outcome of the appeal and take any appropriate action.

In a supplementary question Mr. Harron indicated the information given by the Leader was false and he would evidence this. He did refer his concerns to the Information Commissioner's Office when he received some emails that he requested that took seven months to be provided. However, the Information Commissioner said he was out of time on that particular issue and have not, in fact, looked at this issue at all.

Mr. Harron, therefore, asked if he sent the Leader the information would he look into the matter again.

The Leader confirmed he would be more than happy to look into this.

**(2) Mr. M. Sylvester** asked could the Cabinet Member please confirm that an approach had been made by the Nexus Academy Trust to take over the running of the Addison Day Centre and if so what was the nature of services they proposed to offer if successful in taking over its management?

Councillor Roche confirmed there was an initial meeting over two years ago with Nexus which did not come to any specific conclusion. An options paper was also received in June, 2017. The options paper was not progressed at that time as it was unclear what the benefits would be.

However, a recent approach to the Council had been made by Nexus and a meeting had been arranged with the Assistant Director and the Learning Disability Transformation Team to discuss the use of the building. At this stage it was unclear what their proposal was.

It would appear there had been some misunderstanding thinking Nexus could simply take over the existing day care facility. It was made clear that this was not the case. The building would only come into alternative use once the service has closed. At that point Nexus, as well as any other provider, could request an asset transfer and this would be dealt with by the Asset Management Board in line with usual policy.

In a supplementary question Mr. Sylvester referred to the demand for learning disability day care centres and how Nexus had an excellent reputation for transforming local schools. Nexus would not show an interest in running the day care centres if there was not such a need or demand. Given this, and considering all the doubt and worry over the closures, would an alternative management of the centres not be considered rather than a straight closure system.

Councillor Roche was fully aware of the strengths of Nexus and what they brought to Rotherham's special schools, however, what was being proposed did not fit with the vision for learning disabilities. An alternative provision could not be considered until the centres were closed. Nexus or any alternative use provider could then come along and talk to the Council about an asset transfer.

**(3) Mr. R. Symonds** explained the Council had confirmed in response to a petition that 1,424 customers (39.19%) have not had a review or reassessment in the last twelve months (broken down into categories according to length of time) and asked what were the corresponding figures for learning disability customers?

Councillor Roche confirmed there were 752 Learning Disability customers, 424 (56.38%) that have not had a review or reassessment in the last 12 months, 114 (1-2 years); 70 (2-3 years); 164 (3-4 years) and 76 (over 4 years).

The Council did take this issue very seriously and was addressing this with a dedicated team of social workers undertaking reviews with the support of existing staff and, where necessary, advocates.

The data for 2017/18 was not currently available across all local authorities, however, this could be provided in writing with information from 2016/17 to provide an indication of the benchmark.

In a supplementary question Mr. Symonds referred to the Cabinet report on the 21<sup>st</sup> May, 2018 being silent on missed assessments and reviews and gave a false impression that each person had a review. Were Cabinet Members told about the number of service users that have not had a review or a re-assessment and if not why not. Did the Cabinet Member accept that this crucial mission called into question the propriety of the Cabinet decision to close the centres.

Councillor Roche explained Adult Social Care was in a different place to what it was a number of years ago. It now had a dedicated team to work on the new assessments. The Service realised and accepted that what happened in the past with assessments was not good enough and the Service was now confident it could move forward with the assessments through the new dedicated team.

In terms of the decision the report was two years in the making and included going to other authorities and best practice. All available information was brought before the Cabinet before a decision was made.

**(4) Councillor Donna Sutton**, Maltby Town Council, asked why did Rotherham Council not meet with Nexus to explore their proposal regarding Addison Day Centre, and why were all RMBC Councillors not informed of the NEXUS offer or involved in the decision making of the centre closures?

Councillor Roche confirmed he and an officer did meet with Nexus, but this was not progressed as it did not produce any viable options at that time. Possible uses of the building would continue to be explored. A meeting was scheduled with officers and Nexus in the near future.

As the Leader of the Council had reported it was a legal requirement for a decision regarding day centre and the future of learning disabilities to be taken by Cabinet was this as an executive decision of the Council.

In a supplementary question Councillor Sutton asked why had Town and Parish Councils not been personally approached or involved directly in the decision making process or in the purpose and uses of the building to be able to support the centres staying open.

Councillor Roche assumed the question referred to the consultation as Town and Parish Councils would not be involved in the decision making. He confirmed he would send a more detailed answer about the consultation, but broadly outlined that consultation commenced in November, 2016 and included expected Service users and their families which ran from 5<sup>th</sup> December, 2016 to 2<sup>nd</sup> February, 2017 and engaged 627 people. This led to a report to the Cabinet and Commissioners' Meeting.

As part of the consultation the Service also engaged with customers, information was placed in the local press and flyers were distributed. Information was also placed on the Council website to raise awareness of the consultation to the wider community. A more detailed answer on the process of consultation would be provided in writing.

**(5) Ms. S. Healey** referred to the Cabinet Member recently saying on television that the number of people wanting to go to day centres was going right down and asked what was this statement based on and specifically how many people have left Addison or the Oaks and not moved on to another day centre.

Councillor Roche explained people and families have higher expectations of an independent life in their community and want more control over their lives.

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This change was reflected in the declining number of people who have accessed traditional building based 'day services'. Over the past two years there had been Oaks: 0, Addison: 2, Adpro: 4.

In September, 2016 there were 118 people attending Addison day centre and there were now 108, which meant ten people had left. In September, 2016 there were 121 attending Oaks day centre and there were now 84 people attending, which mean 37 had left. Unfortunately, there were no other Council owned day care centres which meant none of these Service users had moved onto another Council run centre.

People and families were saying they expected support and services to be more person centred, flexible, available during the day, evening and weekends and as close to where the person lived as possible and community based. People and families wanted more opportunity to contribute and be part of mainstream life.

A number of people have a mixed package of support which included access to a range of services.

In a supplementary question Ms. Healey asked if the Cabinet Member was aware that in 2015 social workers were told to dissuade people from using traditional day centres and if he was aware why was this done.

Councillor Roche confirmed he was aware of the rumours and raised this issue with the then Strategic Director and made it clear that this should not happen.

**(6) Mr. R. Wainwright** asked had the Council explored any other avenues for the community use of the former Kimberworth Infants School, other than demolition, and if so who and what were they, and would the Council be prepared to put the decision on hold until these other avenues have been explored?

Councillor Lelliott explained the Council did consider the option to make the building available for expressions of interest from the community, however, it was decided not to on the basis of:-

- The Council still had an operational need for the site (but not the building).
- The condition of the building and its annual running costs would require a substantial investment by a community group and the Council could not offer any security on the length of tenure on any Community Asset Transfer.
- The building was located on the wider site in such a way that any future development of the whole site would be reliant on the Council maintaining control of this area of the site.

- The costs to secure such a vacant building are £100k pa.

The Council would not be putting the demolition on hold due to the reasons outlined and the costs associated with other options.

In a supplementary question Mr. Wainwright asked how the removal of the building fitted in with the new neighbourhood working strategy which involved devolving power down to local communities. He believed the obligations at officer level had not been fulfilled with regards to consulting with other parties and asked could he please be provided with a copy of the new Asset Review Strategy in relation to this building.

Councillor Lelliott confirmed this would be provided in writing.

**(7) Mrs. M. Hudson** referred to Councillor Roche saying "assessments will take into account the wishes, preferences and outcomes sought by the individual" and asked what if the individual was happy and benefiting from current service provision and wished to remain with existing arrangements?

Councillor Roche confirmed that where an assessment identified that an individual had needs for care and support then the Council must decide if the unmet needs met the national eligibility criteria, consistent across England, and how the provision of care and support could contribute to the outcomes that the customer wished to achieve. While the Council could not commit to the support being provided by the current building and service it would ensure that any unmet needs and personal outcomes were taken into account.

In a supplementary question Mrs. Hudson asked if the Council was going to ignore the needs of a person with learning disabilities and move them to another service. She further asked what would happen to the carers of these people and would the Council force people to move from services they were happy with to others they did not want to move to.

Councillor Roche explained the reports outlined the vision of Adult Social Care over the next two years whilst moving towards closure of Addison and Oaks day centres. Assessments would take into account needs and wishes of both the carer and the service user.

**(8) Mrs. M. Reed** referred to it being five years since her daughter had a care assessment or a review, but when she used to have them they were done by qualified social workers and now asked why were they now being undertaken by unqualified workers?

Councillor Roche confirmed in all Adult Care Services there were qualified and unqualified staff undertaking assessments, this included qualified occupational therapists as well as occupational therapy assistants.

The Care and Support (Assessment) Regulations 2014 set out that a local authority must carry out an assessment in a manner which was appropriate to the needs and circumstances of the individual to whom it related and ensure that the individual was able to participate in the process as effectively as possible.

Assessors must be appropriately trained and competent whenever they carry out an assessment and have the skills and knowledge that related to a specific condition or could identify the circumstances when they may need to consult with someone with expertise in a particular matter prior to completing the assessment.

Dependent upon complexity, assessments may sometimes be co-worked or transferred to a more experienced worker if the situation dictated. Should any safeguarding issues arise, they would always be undertaken by qualified social workers.

In a supplementary question Mrs Reed referred to the report that went to Cabinet on the 21<sup>st</sup> May, 2018 when the decision was made to close the day centres and indicated that each person would have a review based on a person's centre approach which would inform the Services that the Council would need to cover to meet their individual needs by 2020. This indicated that a dedicated team of social workers and existing staff would undertake the reviews. She asked did the Cabinet Member consider the statement to be accurate and Cabinet Members were misled as clearly each person did not have a review and those that had had reviews were not necessarily carried out by social workers.

Councillor Roche confirmed that all the assessments were carried out by qualified staff as was the case across all England. He confirmed the Cabinet were given the full facts.

**(9)** "T" referred to all the positive feedback from her event "Other Words For Anger" (OWFA) on 29th June, 2018, and her wish to do even more to support adult survivors of CSE and asked in what ways were officers and Councillors at RMBC prepared to work with her.

The Leader thanked "T" for her question and the invitation to the event on the 29<sup>th</sup> June and appreciated the contribution being made.

The Council was reviewing its post-Abuse Services and officers had approached individuals who have expressed an interest in being part of the process.

"T" had met with the Assistant Chief Executive to discuss support and he was in the process of looking of what could be done further. The Leader was happy to follow this up if there were more specific ideas to take forward.



In a supplementary question "T" confirmed that on Sunday she had started fundraising for the first objective and all Councillors were sent an email about this.

The first objective was to build on holding follow up events and an annual event. A series of art workshops were now scheduled starting on 13<sup>th</sup> September, 2018 for adult survivors of CSE. "T" was delighted that ROAR were supporting the initial workshops and in response to the email on Sunday one Councillor had agreed to pay for the venue for six weeks from their Community Leadership Fund. She, therefore, asked if Councillors were prepared to provide some funds to support the next annual event.

The Leader was unable to make any spending commitments due to the budget position, but was happy to take up the conversation of looking at funding some event space.

**58. 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.

**59. LEADER OF THE COUNCIL'S STATEMENT**

The Leader of the Council was pleased to offer his congratulations to the young people of Rotherham who achieved amazing exam results with a 99.1% pass rate at "A" Level which was an increase on last year with further progress on GCSE results. The provisional GCSE results for students was 60.6% with four or more subjects, including English and Maths and 38% of students with five or more subjects, including English and Maths. He thanked everyone involved including parents and the schools for their contributions.

Attention was also drawn to the forthcoming Rotherham Show, which was the biggest open access outside event in the north of England this weekend - 8<sup>th</sup> and 9<sup>th</sup> September, 2018.

**60. 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 6<sup>th</sup> August, 2018, be received.

Mover:- Councillor Read

Seconder:- Councillor Watson

**61. CABINET RESPONSE TO RECOMMENDATIONS FROM SCRUTINY REVIEW - DRUG AND ALCOHOL TREATMENT AND RECOVERY SERVICES**

Further to Minute No. 25 of the meeting of the Cabinet held on 6<sup>th</sup> August, 2018, consideration was given to the report which detailed the outcome of the spotlight review that aimed to ensure the Drug and Alcohol Service, operating within a reduced budget, would provide a quality, safe service under the new contract.

The Cabinet considered and agreed the response enclosed to ensure that all Members were aware of the implementation of recommendations from the review.

**Resolved:-** (1) That the response to the scrutiny review of Drug and Alcohol Treatment and Recovery Services set out at Appendix A to this report be noted.

(2) That the response be referred to the next meeting of the Health Select Commission on 6<sup>th</sup> September, 2018.

Mover:- Councillor Roche

Seconder:- Councillor Read

**62. AUDIT COMMITTEE ANNUAL REPORT 2017/18**

Further to Minute No. 20 of the meeting of the Audit Committee held on 30<sup>th</sup> July, 2018, consideration was given the submitted Annual Report 2017/18 which brought together in one document a summary of the work undertaken by the Audit Committee.

The Chartered Institute of Public Finance and Accountancy (CIPFA) had issued guidance to local authorities to help ensure that Audit Committees operated effectively and recommended that they should report annually on how they have discharged their responsibilities.

**Resolved:-** That the contents of the Audit Committee Annual Report 2017/18 be noted.

Mover:- Councillor Wyatt

Seconder:- Councillor Walsh

**63. OVERVIEW AND SCRUTINY UPDATE**

Councillor Steele, Chair of the Overview and Scrutiny Management Board, provided an update on the latest work carried out by the Overview and Scrutiny Management Board and the Select Commissions - Health, Improving Lives and Improving Places over the last few months.

The majority of the work included that of pre-scrutiny and he reported the Cabinet had accepted nearly all the recommendations put forward. His thanks were offered to all scrutiny colleagues.

Further information was also provided on the work undertaken by the other Select Commissions carried out on behalf of the Council, which included:-

Health – evaluation of outside organisations and their procedures to ensure people’s health was fit for purpose.

Improving Lives – ongoing updates on child sexual exploitation and domestic abuse and challenge to officers.

Improving Places – consideration of modular housing involving visits to other areas as well as continued scrutiny of the contract with Dignity.

The work taking place demonstrated the value of scrutiny and plans were in place to work with Voluntary Action Rotherham in the next few months to explore collaborative working and further scrutiny.

In seconding the report Councillor Cowles, Vice-Chair, confirmed three visits had been made to areas with modular housing as part of the scrutiny review and the review group were now at the stage of preparing a report which he hoped members would find interesting.

Councillor Cowles did express some concern about some of the issues presented to scrutiny recently and had questioned these appropriately.

**Resolved:-** That the report be received and the contents noted.

Mover:- Councillor Steele

Seconder:- Councillor Cowles

**64. MEMBERSHIP OF COMMITTEES, BOARDS AND PANELS**

Further to Minute No. 190 of the meeting of Council held on 23<sup>rd</sup> May, 2018, consideration was given to the following proposed changes to the membership of committees, boards and panels:-

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<b>Committee, Board or Panel</b>	<b>Outgoing Member</b>	<b>New Appointment</b>
Health Select Commission	Councillor Marriott	Councillor John Turner
Improving Lives Select Commission	Councillor Allcock	Vacancy
Licensing Board	Councillor M. Elliott	Councillor Marriott
Planning Board	Councillor Ireland	Councillor Steele

Resolved:- That the appointments be approved.

### 65. **AUDIT COMMITTEE**

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

Mover:- Councillor Wyatt                      Second:- Councillor Walsh

### 66. **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

### 67. **PLANNING BOARD**

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

Mover:- Councillor Sheppard                      Second:- Councillor Williams

### 68. **LICENSING BOARD SUB-COMMITTEES**

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

Mover:- Councillor Ellis                      Second:- Councillor Beaumont

### 69. **MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS**

(1) Councillor Carter was unable to attend today's meeting so his question would be responded to in writing by the Designated Spokesperson for South Yorkshire Fire and Rescue Service.

**(2) Councillor R. Elliott** referred earlier this year to Labour amending the UKIP motion – Reinstatement of the second appliance in Rotherham adding “when finances become available”.

Recent published accounts showed a further £2.1m would be made available to the general fund and Councillor Elliott asked when would the second appliance be reinstated ensuring the ongoing safety of residents throughout the night?

Councillor Atkin explained South Yorkshire Fire & Rescue recognised that a responsible and transparent course of action must be adopted in order to generate the £1.4m savings per annum that the use of CPC had delivered; this must also be in the context of providing the best possible service to the people of South Yorkshire within the budget that was available.

The Chief Fire Officer and his senior leadership team had therefore recommended a number of options for the South Yorkshire Fire Authority to consider as a response to the recent legal judgement.

After consideration, the Fire Authority duly directed the Chief Fire Officer to prepare a revised Integrated Management Plan. The planning process requires that a service periodically reviews resource disposition in light of the changing environment in which it functioned, and the production of an IRMP was regulated via the Home Office Fire and Rescue National Framework 2018. Once the Fire Authority had approved the new draft IRMP, the Service would engage in wide ranging public consultation, including with the local Authorities, on the proposals and the impact that they were likely to have across the whole of South Yorkshire, no other guarantee could be provided at this time.

In a supplementary question Councillor Elliott made reference to the fire brigade being recently required to support the Police during the night in a search and rescue operation due to reduced manpower leaving no fire coverage whatsoever. The fire appliance was moved from Dearne to Rotherham leaving no cover and he questioned was it going to take a major incident like Grenfell and urged for the second appliance to be reinstated immediately.

Councillor Elliott heard the argument that an additional £1.4 million was needed to cover the removal of CPC but this was deemed illegal. This left £750,000 which would more than cover the second appliance. This was on top of the additional £20 million which was ear marked for capital projects, He, therefore, asked would Councillor Atkin please make ensure current fire authority accounts were made publically available and subject to a full scrutiny review showing that there was sufficient funds available to support the funding of the second appliance and that Labour honoured their commitment to do so.

Councillor Atkin explained the accounts of the Fire Authority were publically available, open to scrutiny and were externally audited.

In terms of CPC the Fire Authority had been told it was illegal so this could not be done. However, to reinstate to a normal crewing system at all stations would cost £1.4 million with an extra sixty firefighters. This, combined with the extra pension costs, would mean that the reserves would soon be depleted.

**70. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN**

**(1) Councillor Jepson** asked why the Rotherham Bus Partnership advertised on national television, why was this considered necessary for a local service and what was the cost to the Council as a member of this organisation.

The Leader confirmed the advertising element of the Rotherham Bus Partnership (RBP) was funded through its own Marketing and Promotions budget, to which the Council did not financially contribute. This budget was supported solely by the Bus Operators.

In relation to the Rotherham Bus Partnership paying for national advertising, this did not happen. Owners of digital smart televisions received bespoke advertisements during 'ad breaks' on national TV stations based on their demographic and geographic location. For example Members may have seen an advert on a national TV channel for local buses, this would not have been a National Advert where people in other parts of the country would have received it.

**(2) Councillor Napper** asked would R.M.B.C. promote the teaching of ancient history in our schools?

**Councillor Watson** confirmed Local Authority maintained schools were required to follow the National Curriculum. The teaching of history in the UK and the ancient world was included in the History Curriculum for KS1 pupils (5-7 year olds), KS2 pupils (7-11 year olds) and KS3 pupils (11-14 year olds).

Academies did not have to follow the National Curriculum, but the vast majority of them did as national tests and examinations were based on their content.

Therefore, the response to the question was 'Yes,' RMBC did promote the teaching of ancient history in its schools as it was a key element of the History National Curriculum.

In a supplementary question Councillor Napper referred to the young people of today who had the misconception that the Jews of Israel had pinched Jerusalem, which was not accurate so if schools taught history correct they may get rid of some of the conflict that had arisen.

Councillor Watson confirmed that all young people should be educated about the world, but the difficulty in schools was that examples in the national curriculum were non-statutory and schools could choose which bits of ancient history were actually taught.

**(3) Councillor Jepson** asked how many households have signed up to the new green waste collection service that was due to start in October?

Councillor Hoddinott confirmed that as of this morning 2,530 households had signed up to the green waste collection.

In a supplementary question Councillor Jepson asked what percentage this was out of the total households in Rotherham.

Councillor Hoddinott confirmed that it was approximately 2% of the total households.

**(4) Councillor M. Elliott** referred to Ulley Country Park recently having signage erected indicating the only means of payment was by mobile phone, using either a Debit or Credit Card and asked would the Cabinet Member for Green Spaces consider re-installing the coin operated ticket machine to operate alongside the RINGO SYSTEM of payment?

Councillor Allen had spoken to Councillor Elliott on this already so was aware of the changes that had been implemented. The reason why the car parking payments were recently changed to the 'Ring and Go' system was because over the years various machines have either been vandalised or stolen.

The system operated effectively at a number of other Council car parks, particularly where they were in isolated locations.

However, Kevin Burke (Countryside and Ecology Manager) was in discussions with the Park user group and friends group to see what additional measures could be put in place to make the parking charge as accessible as possible and this was being considered.

It was worth noting that people could pay via the internet before leaving home or purchase annual/biannual car parking pass from the Park.

In a supplementary question Councillor Elliott confirmed the Ringo system was causing some confusion and not everyone was in possession of a mobile telephone or payment cards. He pointed out that some visitors were parking on the busy main road and on the access to the car park to avoid being fined and the Council should be encouraging visitors and not deterring them. He urged the Cabinet Member to reconsider the payment options.

Councillor Allen confirmed she was aware of the parking that was now taking place, but urged everyone to ensure they always carried a mobile telephone with them for their own personal safety.

**(5) Councillor Jepson** asked had there been any savings made as a result of the reduced number of grass cuts that have taken place due to the exceptionally dry summer weather.

Councillor Allen explained the period of dry weather saw the suspension of grass cutting when grass growth slowed down and cutting was not required. This resulted in some limited savings achieved relating to fuel and grass cutting equipment maintenance. However, given the unpredictable nature of the weather, seasonal staff were not laid-off. Instead they were deployed on alternative duties to improve the street scene environment including the removal of weed growth from key routes into the borough, snickets and heavily weeded areas. So whilst the good weather did not allow the Council to make any savings, it did allow for additional work to be undertaken that improved the street environment across Rotherham.

**(6) Councillor Napper** asked what was R.M.B.C. position with regards to women only session at Rotherham Leisure Centre.

Councillor Allen explained the women only sessions provided were mainly demand led and the evidence of need was demonstrated by attendance, as all the sessions were well attended on a regular basis. In addition funded programmes were offered in order to increase participation from women and girls through the 'This Girl Can Swim' programme, which had delivered sessions across the four leisure centres.

The provision of women only sessions was a continuation of service provision that was provided at the Council's old leisure facilities. The service was developed based on customer feedback and relevant research undertaken by the Council as well as recognised organisations such as Sport England and the Women's Sport and Fitness Foundation. There was also a process of meetings and discussions with a range of individuals, groups and organisations that took place in advance of the new leisure centres opening in 2008/9 and this confirmed the need for the sessions to continue.

The Council understood that it will remain lawful for service providers (and associations in their capacity of providing services to their members) to provide separate services for persons of each sex, to offer different services to persons of each sex, or to offer single-sex services where certain circumstances apply. This will be where it is not as effective to offer the service jointly to men and women and the single sex restriction is objectively justifiable. For example: A swimming pool may offer women-only sessions as certain women may feel uncomfortable swimming in front of men. To allow women-only sessions may widen access to facilities for women without disproportionately restricting access to the facilities at



other times. If this were the case, women-only sessions would not be unlawful under the Equality Act 2010.

In a supplementary question Councillor Napper asked what was the legal position in having women only sessions and could men only sessions be provided.

Councillor Allen confirmed that should there be sufficient demand and evidence for men only sessions to be provided at leisure facilities, the Council would work with its partners PFP Leisure to give it full consideration, but could not of course guarantee to meet all requests for service.

To date there had not been any demand for a general public men only session, but at least one men only programme had been run, sponsored by the Hairy Bikers and focused on weight loss.

**(7) Councillor Reeder** asked for a breakdown of the running costs of the day centres and how much had been budgeted for the Service users after closure thus giving a clear view as to how RMBC were going to save the £3 million that they were proposing to achieve.

Councillor Roche confirmed the savings on the running costs of existing facilities (based on full closure) were £2.895m. The building costs were different from the user costs so could not be put together.

**(8) Councillor Carter** would receive an answer to his question in writing.

**(9) Councillor Napper** referred to the L.G.A. setting up a national register for taxi and P.H.V. drivers (NR3) and run by National Fraud Network at Tameside M.B.C. and asked would R.M.B.C. be joining at a cost of £1050 per annum.

Councillor Ellis confirmed the Council already subscribed to the National Anti-Fraud Network (NAFN) and uses the service for a range of enforcement and investigative purposes. The National Register of Revocations and Refusals (NR3) went live in August 2018, and the Council's Licensing Service would undertake a check of the database as part of the process of assessing an applicant's fitness to hold a Hackney Carriage/Private Hire Driver's license in Rotherham.

Licensing officers and Members recognised that weaknesses in current legislation could be exploited by certain individuals who may seek a license in another part of the country with the intention of working in Rotherham. Some of these individuals may have been previous license holders in Rotherham and had their licenses revoked as a result of information that had been received by the licensing service. The service had made numerous representations to Central Government departments

in an attempt to address this issue, and had advocated the development of a national database that would allow local authorities to check the licensing history of individuals that made applications to them.

Council licensing officers initially contacted NAFN in March, 2017 and suggested that a shared database of revocations and refusals would be useful, and that the existing NAFN system could be adapted to provide this. Following this contact, other local authorities expressed an interest in the scheme and a "local authority user group" was established in July 2017 (hosted by the Local Government Association). Officers from Rotherham MBC were part of this user group, and over subsequent months officers were involved in the development and testing of NR3.

In a supplementary question Councillor Napper asked if the Council could lobby Rotherham's three Members of Parliament to push Clive Betts to get a national licensing strategy.

Councillor Ellis confirmed all three Members of Parliament were kept informed and kept up-to-date and discussions were now taking place with the Mayor of the Combined Authority to strengthen the voice.

**(10) Councillor Carter** would receive an answer to his question in writing.

**(11) Councillor Cowles** referred to a Lincolnshire Council having announced it is buying commercial properties in Sheffield as part of its strategy to fund social services and asked could the Cabinet Member advise if she was aware of whether or not they have bought any property in Rotherham?

**Councillor Lelliott** explained the Council was not aware of any Lincolnshire Council's property holdings in Rotherham.

In a supplementary question Councillor Cowles confirmed he recently attended a conference in London on commercial strategy and it seemed that there were many Councils and Local Authorities who had developed a commercial strategy. For example to name a few, Northumberland had a development company, Lincolnshire had bought a hotel and gym in Sheffield and Leeds had just implemented a new incinerator that burnt waste and produced hot water for social housing with 10% energy reduction costs for residents. He was aware Rotherham had a single unit at the Advanced Manufacturing Park, but this did not compare of what many others were doing so asked if the Council had any intention of developing a commercial strategy and if not, why not since people were doing this for the simple reason of developing a revenue stream to fund social services rather than announcing closures.

Councillor Lelliott confirmed the unit at the Advanced Manufacturing Park had not been supported by the opposition. However, further consideration was being given to the Beighton link project and where

further opportunities arose these would be explored in order to get the best for the residents of Rotherham.

**(12) Councillor Carter** would receive an answer to his question in writing.

**(13) Councillor Napper** referred to residents of Sandhill asking if the top 50 metres of Sandhill Road could revert back to two way traffic as ambulances etc. have to detour 500 to 800 metres with the exit view blocked by parked vehicles so why not.

Councillor Hoddinott had received advice to indicate that this fell far short of the minimum standards set out in the Department for Transport's advice for the Geometric Design of Major/Minor Priority Junctions TD 42/95 and suggested that she arrange for a meeting with Councillor Napper and officers for them to go through the technical detail and reasons for its layout.

In a supplementary question Councillor Napper argued officers had replied that it was Government advice for exits around that area, but when it came to Government advice this was not followed in relation to Ravenfield crossroads. Looking at this area with the exit onto North Street there were vans parked on both sides delivering to shops and traffic had to go into the middle of the road to see to come out. He asked could it either be made to "no parking" to keep it clear as no one used that stretch. There were no shops at the top of Sandhill Road so could officers take a further look.

Councillor Hoddinott confirmed she would facilitate a visit with officers and Councillor Napper.

**(14) Councillor Cowles** stated, having discussed Eastwood at the last meeting, the Cabinet Member told us about the wonderful mural created in Eastwood. He had visited that evening to take a look and guess what no mural and it was actually started on the 16<sup>th</sup> August, 2018, and he asked was it the Cabinet Member's policy to mislead the Council in order to create a false impression?

Councillor Hoddinott referred to the progress on this project which had been documented on social media.

The local community project led by volunteers involved a number of stages in the creation and completion of the mural; celebrating history and landmarks. The process started back in March with a community clean up and on the 9<sup>th</sup> and 10<sup>th</sup> June painting of the walls commenced in preparation, identifying designs and then transferring those to the walls and whilst it was not yet finished good progress was being made. The Cabinet Member asked if Councillor Cowles wished to support the community with their painting.

In a supplementary question Councillor Cowles quoted from the previous minutes of Council referring to the recent work in the subway transforming the area with the mural which had been created – no mural had been completed nor was there any mention the smell which had not improved and asked again was it the Cabinet Member's policy to mislead people.

Councillor Hoddinott confirmed there was a mural design which had been shared. The work had commenced in the subway with the base paints already being completed.

**(15) Councillor Carter** would receive an answer to his question in writing.

**(16) Councillor Cowles** referred to the Budget approved by the Council which included savings for 2017/18 of £100k in relation to enhanced enforcement of environmental crime. Based on 8,000 fines and working with Doncaster the business case showed a shortfall of £77,900 and asked was this proposed saving brought to scrutiny without prior proper evaluation?

Councillor Hoddinott confirmed the report to Cabinet and Commissioners in December, 2017 outlined that the Budget approved by Council on 8th March, 2018 included savings for 2017/18 of £100,000 in relation to enhanced enforcement of environmental crime. However, it was made clear that "...until the procurement process has been completed and details of the arrangements with Doncaster have been finalised it is not possible to report on what the final financial position will be although it is expected to achieve a saving. Should there be any budget shortfall this would need to be met from savings elsewhere in the Directorate and would require the approval of Cabinet due to the fact that the currently approved savings would be being delivered by a different means."

The pilot that was the initiative proved successful with a big increase in the number of fines for dog fouling and litter which were big concerns for the public. That pilot was useful and provided not only additional revenue, but allowed the Council to look at some of the costs through that process.

The Cabinet and Commissioners then agreed the shared service with Doncaster to move this forward and at that point it was made very clear until the process was completed the exact costs were not known. It was worth pointing out that this was additional money coming into the Council through an initiative and achieved enhanced enforcement alongside a surplus to the Council.

In a supplementary question Councillor Cowles referred to the hard work of scrutiny and in particular the Chair who pushed himself and the team hard. The team were required to attend meetings every two weeks, attend pre-scrutiny meetings and work through potential questions. The report on the website offered three options. Successful trial - no additional people were required and the option brought to scrutiny did not

require anyone else to run it and was brought as a £100,000 saving. The second was for the Council to employ additional administrative staff in Rotherham which had reduced the savings and the third option to work in conjunction with Doncaster which was the most expensive and created a shortfall of £80,000. This was from the cost conscious Cabinet Member who claimed to have taken Dignity to task and achieved the best deal, yet the least effective solution was chosen whilst wasting the time of scrutiny in asking them to evaluate an option based on recruiting no extra people.

Councillor Cowles was in favour of shared services, but from experience they saved money, but also cost money. The report talked about mitigation but there was no mitigation. Why bring savings for scrutiny to spend time looking at and raise questions and do something completely different which cost more money. He would be speaking and/or writing to the Chair of Scrutiny as it was not acceptable.

Councillor Hoddinott in response had taken this to scrutiny with all the options and the shared option was supported. Discussion had taken place around the pilot, the back office administration and she considered the shared service to be a good way forward. The estimate of the savings put forward was now back to officers to look at further savings around this.

**(17) Councillor Carter** would receive an answer to his question in writing.

**(18) Councillor Cowles** asked why, after repeated complaints about anti-social behaviour in Eastwood, had the Eastwood Deal not been amended to include the use of a 'community trigger'.

Councillor Hoddinott confirmed a Community Trigger could only be applied to individual incidents and not to a whole community. The Eastwood Deal covered the whole community and was a multi-agency response to some of the issues in that area.

In a supplementary question Councillor Cowles believed there were a number of incidents in Eastwood that would have triggered a response. There was one in place at Page Hall providing results and was having a positive effect on the problems they were experiencing. He asked the Cabinet Member again why there was not a similar facility in Eastwood

Councillor Hoddinott pointed out it was worth going back to understand what a Community Trigger was; it came from the community in response to anti-social behavior incidents. The Community Trigger could be called for by either a victim of anti-social behaviour or another person acting on their behalf such as a Carer, family member, Member of Parliament or Councillor. It would not be the Council who called for the trigger as it would be the Council that responded. The Council would need to look at issues and respond to the concerns with partners and act accordingly.

**(19) Councillor Cowles** referred to Councillor Sansome and himself having visited the Police and Crime Commissioner in July to discuss the poor performance of the 101 call and connect service. He expected that by now the Leader had been briefed on what we found and asked what conclusions had the Leader reached and what did he intend to do about it?

The Leader paid testimony to the work by Councillor Sansome, the Police and Crime Panel representative, who had had a meeting with the Police and Crime Commissioner and raised his concerns about the 101 service. He had also, at his urging, written to the Police and Crime Commissioner regarding the steps the Police were taking to address the problems and not routing internal calls through the 101 service.

In a supplementary question Councillor Cowles would have thought that the Police and Crime Panel representative would have briefed the Leader. He outlined what he had found:-

- Two proposed implementation dates – both failed.
- Would not provide a future date, unlikely this year.
- Asked for documentation for the quality and project plan – not received.
- Asked about commercials – commercially sensitive.
- Not chosen a tiered telecommunications/software provider.
- Software provider unheard of for such an important project.
- Told concerned if too much financial pressure on provider may go bust.
- This was taxpayers' money and hardly surprising Labour showed no interest.

He asked again what did the Leader intended to do about it.

The Leader confirmed he would keep sending the Labour representative to the Police and Crime Panel who took an interest in this subject and was vociferous about the concerns unlike the UKIP representative who was advised and never raised this issue.

**71. URGENT ITEMS**

There were none.