

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD  
30th January, 2019**

Present:- Councillor Steele (in the Chair); Councillors Cowles, Cusworth, Napper, Short, Walsh and Wyatt.

Apologies were received from Councillors Keenan, Mallinder and Sansome.

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

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

**154. MINUTES OF PREVIOUS MEETINGS**

**Resolved:-**

That the minutes of the meetings of the Overview and Scrutiny Management Board held on 17 October, 14 and 28 November and 12 December 2018 be approved as true and correct records of the proceedings.

**155. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**156. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS**

There were no questions from members of the public or press.

**157. EXCLUSION OF THE PRESS AND PUBLIC**

The Chair advised that there were no items of business on the agenda that would require the exclusion of the press or public from the meeting.

**158. CHILDREN AND YOUNG PEOPLE'S SERVICES BUDGET MONITORING - HIGH NEEDS FINANCE UPDATE AND BUDGET SUSTAINABILITY OPTIONS**

Consideration was given to a report which summarised the increase in the number of Education and Health Care Plans, the growth in demand for specialist provision and the financial position in 2018/19 of the High Needs Block of the Dedicated Schools Grant (DSG) and the revised cumulative deficit. The paper outlined the recent growth in volume through increased demand for special educational places and the impact on cost was compared against previous years.

It was reported that the High Needs Block Recovery Plan aimed to bring in-year expenditure in line with the annual budget allocation and focus on a longer term plan which would contribute to reducing the cumulative deficit.

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Members sought to understand the complexity of the challenges in the borough and how that compared to other authorities nationally. In response, the Strategic Director explained that the position was dictated by complexity of need. He considered that Rotherham MBC was now able to identify needs more effectively and had experienced a sharper increase in need compared to other areas.

Clarification was sought in respect of the impact of removing 1.5% of the Schools Block funding. In response it was confirmed that there had been an increase and that the Growth Fund was in excess of the needs of Rotherham schools. It was further confirmed that no schools had been adversely affected and there would only be an impact if pupil numbers drop.

Members sought assurances that the approach adopted by the Council was leading to better outcomes for children. The Strategic Director indicated the preference was always to keep children within the borough and in local provision, as there was confidence that outcomes would be stronger. He advised that he was confident in the skill set and capacity in the borough, but counselled that the right level of capacity had not necessarily been enabled at the present time. Too many children and young people were going to specialist providers outside of the borough. To that end, the Strategic Director advised that the Council would want as high a percentage to be in mainstream settings with additional support, which would lead to better outcomes.

Members queried whether any other authorities had sought approval from the Department for Education in Whitehall for disapplications in respect of funding pressures. In response, it was confirmed that a significant number of councils had approached the Secretary of State for Education and an announcement in respect of additional funding had been made in December 2018 with a view to reducing the number of disapplications.

In response to a technical question in respect of accounting, it was confirmed that the Dedicated Schools Grant (DSG) had its own specific reserve, which accrued year on year and was not linked to the General Fund or had any impact on specific reserves.

Members sought to understand the position of the Schools Forum on the paper and how the forum had commented on capacity to support children and young people with special educational needs and disabilities. The Strategic Director confirmed that the Schools Forum had supported the proposal and reflected on the expression of common intent by the Forum and the Strategic Educational Partnership to do better for those students and create new types of provision, with enhanced supported units.

Clarification was sought in respect of how the Council could influence the number of exclusions from school. In response, the Deputy Leader of the Council explained that significant work had been done through the Virtual School on emotionally friendly schools. Training had taken place with individual members staff in respect of emotional health and wellbeing and those schools which had participated had reduced the number of exclusions generally.

Once again, Members sought to understand what alternative plans were in place if the Council did not succeed in achieving the return of children to the borough or if demand outstripped pace. In response, the Strategic Director was very confident that the measures proposed were the right thing to do, however confidence on reducing the whole deficit was difficult to answer, due to unpredictable demand. Members expressed their appreciation for the honesty of the response from the Strategic Director and understood that this was a long challenge. The Deputy Leader also indicated that the Council's approach had his full support.

**Resolved:-**

That a further report be submitted in six months detailing the progress made against the High Needs Block.

**159. EVALUATION OF PUBLIC SPACES PROTECTION ORDER FOR THE TOWN CENTRE**

Consideration was given to a report that provided a detailed review of the implementation of the Public Space Protection Order (PSPO) in Rotherham Town Centre and Clifton Park. The report stated that whilst it was encouraging that incidents in the PSPO had continued to decrease, further attention was required in the areas identified as 'hot spots'. Further monitoring and swift enforcement against repeat offenders would also be required, to prevent escalation to nine breaches of the PSPO, as in the case of the individual referenced within the report.

Members noted that the allocation of resources continued to be a challenge and this pressure was likely to increase in the short term. This would challenge officers in respect of maintaining enforcement levels and could lead to short term reductions in enforcement activities. Members were advised that the pressures arising should lead to consideration of the potential use of sporadic, targeted, operations, drawing resource from other areas and focussing on problem times or problem areas.

It was reported that officers had no reason to propose an adjustment of the Public Space Protection Order at this stage and it was recommended that a further formal review was undertaken during the summer of 2020, prior to the order lapsing in October 2020.

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In response to a Member question in respect of the data provided, it was explained that the police had changed their method of recording data. This had the effect of skewing the data and it was considered necessary to review longer term trends.

Members queried whether the introduction of the PSPO had led to a dispersal of criminal behaviours to other locations. In response, the Cabinet Member indicated that there were hot spots on the fringe of the town centre, but there was no intelligence to suggest that it had dispersed. It was confirmed that the position would be kept under review and there was displacement from shifting hotspots but that it was not outside the entire area designated with the PSPO.

Clarification was requested in respect of the times of day that offences were being committed and whether that could be linked to the hours worked by officers. In response, it was confirmed that one of the hot spot times was for closing time for bars and pubs from 2300 until 0300 on Fridays, Saturdays and Sundays.

Members sought to understand how the resource deployed to manage the PSPO. It was confirmed that officers from the Council and South Yorkshire Police were responsible for enforcement of the order. It was confirmed that officers from the council and South Yorkshire Police were alive to the peak times for the town centre. The PSPO was an additional tool for enforcement and was being used accordingly. Furthermore it was considered to have been a success to date. Enforcement practices had painted a good picture of the situation in the area and had enabled quick responses to particular behaviours.

Members reflected on the historic concerns expressed by people regarding feeling safe in town centre and queried whether people were reporting that they now felt more secure. In response, it was explained that there had been a slight increases in women feeling safer in the town centre, but more work was required to understand what had driven that perception.

### **Resolved:-**

That a further report evaluating the success of the Public Spaces Protection Order for the town centre be submitted to Overview and Scrutiny Management Board in February 2020.

### **160. PROPOSED PUBLIC SPACE PROTECTION ORDER - FITZWILLIAM ROAD, ROTHERHAM**

Consideration was given to a report which introduced a potential Public Space Protection Order (PSPO) for the area surrounding Fitzwilliam Road, within Rotherham East ward, as a part of the Eastwood Deal that was adopted in November 2017. The report detailed the evidence available to support potential implementation, alongside a proposed

process to meet the legal requirement in relation to due process, including statutory consultation.

The report stated that consideration needed to be given as to whether the overall decline in anti-social behaviour and crime support the need to develop, consult and potentially implement a PSPO. Should the levels identified be sufficient to warrant such activity, then the recommendations based on each potential condition would need to be considered individually. It was noted that consultation and implementation would develop expectations within the local community. It was noted there were already challenges in terms of maintaining a presence in the area and responding to the current demand.

Members sought to understand how the enforcement of the proposed PSPO would be resourced. In response, the Cabinet Member for Waste, Roads and Community Safety confirmed that there would not be additional resources. Existing police and enforcement staff would be used, although the proposed PSPO was about giving them a different tool to use.

Reflecting on consultation, Members recalled the dissatisfaction expressed by a number of people at the previous consultation on the PSPO for the town centre and sought to understand how consultation would be appropriate and target the right people. The Cabinet Member indicated that the consultation process would be in accordance with corporate standards in respect of consultation and engagement.

**Resolved:-**

That Cabinet be advised that consultation on the proposed Public Space Protection Order for Fitzwilliam Road in Rotherham be supported.

**161. YOUTH CABINET/YOUNG PEOPLE'S ISSUES**

It was reported that work was underway to prepare for the Children's Commissioner Takeover Challenge meeting of the Overview and Scrutiny Management Board and a date in April would be confirmed in due course. In addition, the Cabinet's response to the recommendations made in respect of work experience opportunities in last year's report was expected to be reported imminently.

The Chair reported that he had attended the Youth Voice Star Awards organised by the British Youth Council on Saturday 19 January 2019. He was happy to report that there had been great success for young people from the borough and officers from Rotherham MBC.

**Resolved:-**

That the update be noted.

**162. WORK IN PROGRESS - SELECT COMMISSIONS**

The Chair invited the Select Commission Chairs to provide updates on current and planned activities:-

**Health Select Commission**

Councillor Evans reported that the Health Select Commission had:-

- participated in the refresh of the Joint Strategic Needs Assessment
- held a workshop session on the Place Plan after discussions in November. Have fed back and awaiting response
- held Quality Accounts meetings for RDASH AND TRFT, which had been very positive meetings.

Looking ahead, Members were due to visit the Drug and Alcohol Action Team at Carson House that afternoon and on 1 February would hold the quarterly briefing with Health Partners. The next meeting of the Health Select Commission at the end of February would include the annual update on GP services.

**Improving Lives Select Commission**

Councillor Cusworth reported that the Commission had last met on 15 January 2019 where Members received:-

- an update on Domestic Abuse
- a report on the outcomes of the Rotherham Voice of the Child Lifestyle Survey
- an update on the work towards a Regional Adoption Agency for South Yorkshire
- a report on the progress made against recommendations from Ofsted

The next meeting was scheduled to take place on 5 March 2019 where the following agenda items were scheduled for consideration:-

- Barnardo's ReachOut Service Update and Barnardo's ReachOut Final Evaluation Report
- Progress towards implementation of Phase Two and Phase Three of the Early Help Strategy 2016-2019
- Presentation - Ofsted Annual Conversation Update
- Presentation - Looked After Children Sufficiency Strategy – Update
- Improvement Partner Peer Review of the Looked After Children Service (November 2018)

**Improving Places Select Commission**

An update was provided on behalf of the Chair and Vice-Chair of the Improving Places Select Commission, which reported on recommendations that had been made in respect of reports for Cabinet on Clean Air Zones and the Immobilisation of Vehicles. Furthermore, the Commission had received an update on Asset Management and had considered the draft Employment and Skills Plan. The February meeting of the Commission was planned to receive representatives from Dignity to review the progress made in respect of the bereavement services contract.

**Resolved:-**

That the updates be noted.

**163. CALL-IN ISSUES**

The Chair reported that no Cabinet decisions had been called-in for scrutiny.

**164. URGENT BUSINESS**

The Chair reported that there were no items of business requiring urgent consideration by the Board.

**165. DATE AND TIME OF NEXT MEETING**

**Resolved:-**

That the next meeting of the Overview and Scrutiny Management Board be held on Wednesday 13 February 2019 at 11.00 a.m. in Rotherham Town Hall.