



CABINET

Monday, 17 December 2018

10.00 a.m.

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

Cabinet Members:-

Leader of the Council
Deputy Leader of the Council,
Children's Services and Neighbourhood Working Portfolio
Adult Social Care and Health Portfolio
Cleaner, Greener Communities
Corporate Services and Finance Portfolio
Housing Portfolio
Jobs and the Local Economy Portfolio
Waste, Roads and Community Safety Portfolio

Councillor Chris Read
Councillor Gordon Watson

Councillor David Roche
Councillor Sarah Allen
Councillor Saghir Alam
Councillor Dominic Beck
Councillor Denise Lelliott
Councillor Emma Hoddinott

Rotherham
Metropolitan
Borough Council 

CABINET

Venue: Council Chamber - Rotherham Town Hall, Moorgate Street, Rotherham, South Yorkshire S60 2TH

Date and Time: Monday, 17th December, 2018 at 10.00 a.m.

Agenda Contact James McLaughlin, Head of Democratic Services
01709 822477 or james.mclaughlin@rotherham.gov.uk

This meeting will be webcast live and will be available to view via the [Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Democratic Services Officer of their intentions prior to the meeting.

A G E N D A

1. Apologies for Absence

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

2. 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.

3. Questions from Members of the Public

To receive questions from members of the public who wish to ask a general question in respect of matters within the Council's area of responsibility or influence.

Subject to the Chair's discretion, members of the public may ask one question and one supplementary question, which should relate to the original question and answered received.

Councillors may also ask questions under this agenda item.

4. Minutes of the Previous Meeting (Pages 1 - 11)

To receive the record of proceedings of the Cabinet meeting held on 19 November 2018.

5. Exclusion of the Press and Public

Agenda Items 15, 16, 17 and 20 have exempt appendices. Therefore, if necessary when considering those items, the Chair will move the following resolution:-

That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following 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.

ADULT SOCIAL CARE AND HEALTH

6. Adult Services Non-Residential Care Charging Policy Review (Pages 13 - 24)

Report of the Strategic Director of Adult Care, Housing and Public Health

Recommendations:-

1. That approval be given to commence public consultation with service users and carers so as to inform the changes to the current policy and to provide opportunity for the public to provide feedback on the following proposals:-
 - (a) The removal of the maximum charge for non-residential care, while maintaining the minimum charge of £1.
 - (b) The introduction of charges where additional carers are provided.
 - (c) Amend the policy so that service users are charged from the start of their service provision, instead of from when they are informed of their financial contribution following their financial assessment.
 - (d) To include the full value of high rate Attendance Allowance and Disability Living Allowance, and the enhanced daily living component of Personal Independence Payments, when carrying out non-residential financial assessments for all services not just services provided at night.
 - (e) To consult on a standard list or rate of Disability Related Expenditure (DRE) to be allowed in the financial assessment.

7. Housing Related Support - Children and Young People Pathway tender (Pages 25 - 39)

Report of the Strategic Director of Adult Care, Housing and Public Health

Recommendations:-

1. That it be noted that the new service model will be defined following the completion of the Co-production work and this will inform the specification for the new contractual arrangements.

2. That approval be given to tender the Housing Related Support service for Young people aged 16-25 following completion of co-production work with relevant stakeholders to develop the new service.

CHILDREN'S SERVICES AND NEIGHBOURHOOD WORKING

8. Annual Update on the Establishment of Education Provision at Waverley (Pages 41 - 47)

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

Recommendations:-

1. That the annual update report be noted.

9. Proposal to increase capacity at Aston Academy through basic need funding (Pages 49 - 62)

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

Recommendations:-

1. That, subject to a successful planning application, approval be granted to the proposal to allocate £4.5m capital to increase capacity by 150 places at Aston Academy by the installation of additional classroom space to accommodate future pupil numbers and to replace temporary classrooms currently on site.

10. Proposal to make prescribed alterations to the Willows School (Pages 63 - 71)

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

Recommendations:-

1. That approval be granted to commence a period of statutory consultation by the posting of a public notice in relation to making prescribed alterations to the Willows School.
2. That a further report be submitted in due course detailing the outcome of the consultation and seeking determination.

CORPORATE SERVICES AND FINANCE

11. Medium Term Financial Strategy Update (Pages 73 - 108)

Report of the Strategic Director of Finance and Customer Services

Recommendation:-

1. That the updated Medium Term Financial Strategy be approved and that it be noted that the final version of the Strategy will be submitted to Cabinet and Council in February 2019.

12. Changes in legislation for the Council Tax Premium on Empty Properties (Pages 109 - 115)

Report of the Strategic Director of Finance and Customer Services

Recommendations:-

1. That Cabinet recommend to Council that subject to the legislation being introduced an increase in the Empty Property Premium as follows;
 - (a) From 2020/21 a 200% premium for properties unoccupied and unfurnished for over five years.
 - (b) From 2021/22 a 300% premium for properties unoccupied and unfurnished for over ten years.
 - (c) Any decisions required in relation to the implementation of premiums following the issue of Government guidance, be delegated to the Strategic Director of Finance and Customer Services, in consultation with Cabinet Member for Corporate Services and Finance.

13. Review of Polling Places 2019 (Pages 117 - 239)

Report of the Strategic Director of Finance and Customer Services

Recommendations:-

1. That Cabinet recommend to Council that:
 - a. approval is granted to undertake a review of polling places in 2019 following the process described in this report.
 - b. the scope of the review and the proposals for changes be noted.
 - c. the outline timetable for the review, as set out in Appendix 1, be agreed.
 - d. power to designate polling places in accordance with section 18B of the Representation of the People Act 1983 is continued to be delegated to the Chief Executive, such power to be exercised only in circumstances where a decision is required at short notice and it is not possible to await a decision of Council.
2. That following the outcome of the consultation on the review, the Assistant Director of Legal Services report to Cabinet with final review proposals for determination in order for Cabinet to make final recommendations to Council.

14. Council Plan Q2 Performance Report (Pages 241 - 296)

Report of the Assistant Chief Executive

Recommendations:-

1. That the overall position and direction of travel in relation to performance be noted.
2. That consideration be given to measures which have not progressed in accordance with the target set and the actions required to improve performance, including future performance clinics.
3. That the performance reporting timetable for 2018-2019 be noted.

JOBS AND THE LOCAL ECONOMY

**15. Rotherham Town Centre Masterplan - Forge Island Agreements
(Pages 297 - 311)**

Report of the Acting Strategic Director of Regeneration and Environment

Recommendations:-

1. That approval be given to enter into a development agreement and the granting of the long lease of the Forge Island development site to the selected developer, Muse Developments Ltd.
2. That approval be given to the outlined financial approach to deliver the Forge Island development and the Strategic Director for Regeneration and Environment be authorised to approve the final proposal in consultation with the Cabinet Member for Jobs & the Local Economy; subject to confirmation by the Strategic Director Finance and Customer Services that the final proposal is affordable within the Budget and Financial Strategy and within the following parameters:
 - The initial rents the Council is entitled to receive from occupiers are greater than the initial head lease rent and
 - The financial modelling over the 35 year period shows that the Council's anticipated income from the development exceeds the total anticipated head lease costs.
3. The Assistant Director of Legal Services be authorised to agree the final legal documentation.

16. Swinton Town Centre Redevelopment - Development Brief, Appointment of Developer and Disposal (Pages 313 - 327)

Report of the Acting Strategic Director of Regeneration and Environment

Recommendations:-

1. That approval be given to the aims and objectives for the redevelopment of Swinton Town Centre as set out at section 2 of this report.
2. That approval be given for an OJEU compliant procurement process to be undertaken in accordance with Rotherham Council's Contract Procedure Rules and Domestic and European Procurement Law.
3. That approval be given to Option 2 as set out at paragraph 4.2 of the report. This option foregoes an amount of capital receipt to the Council in order to achieve regenerative benefits to the Community and the Council in relation to the redevelopment.
4. That a further report be submitted following the evaluation of the tender submissions received, which recommends the endorsement of the preferred proposal and any approvals required for the disposal of land and property.

17. Community Energy Switching Scheme (Pages 329 - 349)

Report of the Acting Strategic Director of Regeneration and Environment

Recommendations:-

1. That approval be given to the OJEU procurement process to identify a potential partner to develop a community energy switching scheme and inform a business case that will be developed, based on the results of the tender.
2. That the business case and Tender Evaluation Report be submitted to Cabinet for approval.

18. Immobilisation of vehicles - Persistent Evaders and Untaxed Vehicles (Pages 351 - 357)

Report of the Acting Strategic Director of Regeneration and Environment

Recommendation:-

1. That approval be given to the operational implementation of the immobilisation of untaxed vehicles and vehicles of persistent evaders of Parking PCNs, on the public highway.

19. Lease of Green Space, School Lane, Parkgate to Rotherham United Community Sports Trust (RUCST) (Pages 359 - 369)

Report of the Acting Strategic Director of Regeneration and Environment

Recommendations:-

1. That approval be given to the grant of a new Asset Transfer Policy Lease Agreement, as detailed in Option 1 of this report on land at School Lane, Parkgate, as shown edged in blue in the site plan at Appendix 1.
2. That the Assistant Director of Planning Regeneration and Transport negotiate and agree the terms and conditions of the lease.
3. That the Assistant Director of Culture, Sport and Tourism Service agree and monitor the service level agreement.
4. The Assistant Director of Legal Services negotiate and complete the necessary documentation.

20. Riverside House Café (Pages 371 - 377)

Report of the Acting Strategic Director of Regeneration and Environment

Recommendations:-

1. That approval be given to conducting an open tender procedure process in accordance with the Council's Contract Procedure Rules and Domestic and European Procurement Law, in order to identify a partner to deliver the Riverside House Café through a lease and profit share tenancy agreement.

WASTE, ROADS AND COMMUNITY SAFETY

21. Improving Air Quality in Rotherham (Pages 379 - 405)

Report of the Acting Strategic Director of Regeneration and Environment

Recommendations:-

1. That Rotherham Metropolitan Borough Council's (RMBC's) commitment to improve air quality in the Borough and to improve health outcomes for residents be endorsed.
2. That it be recognised that Rotherham and Sheffield's air quality challenge is intrinsically connected and therefore approves the development of a joint air quality plan and package of interventions with Sheffield City Council (SCC) to protect and improve the health and wellbeing of people living, working and visiting our areas.

3. That the evidence and analysis of the air quality challenge across the areas and the most challenging locations which breach legal limits for NO₂ pollution be supported and noted.
4. That approval be given to the proposed mitigating measures to bring Rotherham's air quality within the legal limit for NO₂ concentrations in the shortest possible time.
5. That authority be delegated to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Jobs and the Local Economy and the Cabinet Member for Waste, Roads and Community Safety, to jointly submit, with Sheffield City Council, the Rotherham and Sheffield Outline Business Case to Government by 31st December 2018.
6. That, subject to approval of the implementation plan, authority be delegated to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Jobs and the Local Economy and the Cabinet Member for Waste, Roads and Community Safety to commence procurement for any necessary infrastructure, goods and services to implement the mitigating measures.
7. That a further report on Rotherham's clean air proposals be submitted, should Government require significant changes once Government has assessed the proposals in our Outline Business Case.
8. That approval be given to the launch of a statutory consultation in early 2019 on the Borough's proposals to tackle NO₂ pollution.
9. That a further report be submitted on the finalised proposals, along with a Full Business Case, in 2019.

22. Food Service Inspection Plan 2018-19 and Introduction of a Pre-Inspection Service Offer (Pages 407 - 441)

Report of the Acting Strategic Director of Regeneration and Environment

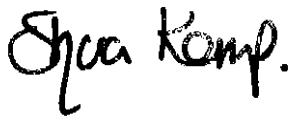
Recommendations:-

1. That approval be given to the Food Service Plan for 2018/19;
2. That approval be given to the introduction of a new Council service to provide pre-inspection advice to food businesses, for which a charge of £195 plus VAT will be made.

23. Recommendations from Overview and Scrutiny Management Board

To receive a report detailing the recommendations of the Overview and Scrutiny Management Board in respect of the following items that were subject to pre-decision scrutiny on 12 December 2018:

- Medium Term Financial Strategy 2018 – 2021
- Rotherham Town Centre Masterplan - Forge Island Agreements
- Riverside House Café
- Community Energy Switching Scheme
- Immobilisation of vehicles - Persistent Evaders and Untaxed Vehicles
- Improving Air Quality in Rotherham



SHARON KEMP,
Chief Executive.