

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
5th June, 2019

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

Apologies for absence:- Apologies were received from Councillors .

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

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

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

3. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that there were no agenda items to be considered which would require the exclusion of the press or public from the meeting.

4. LOOKED AFTER CHILDREN AND CARE LEAVERS SUFFICIENCY STRATEGY 2019-2022

Consideration was given to a report submitted for pre-decision scrutiny by the Strategic Director of Children and Young People's Services ahead of the Cabinet meeting scheduled to take place on 10 June 2019.

It was reported that the Looked After Children and Care Leavers Sufficiency Strategy had been developed in line with the duty to provide or procure placements for Children Looked After (CLA) by the Local Authority. The legislation and guidance included the Children Act 1989, Sufficiency Statutory Guidance 2010, and the Care Planning and Placement and Case Review Regulations 2011. The duty of 'sufficiency' required Local Authorities and Children's Trust partners to ensure that there was a range of sufficient placements which met the needs of children and young people in care. Furthermore, there was also a responsibility to take steps to develop and shape service provision to meet the needs of all children and young people in care at a local level.

Members noted that the strategy set out how Rotherham Children and Young People's Services would fulfil its role as a Corporate Parent and meet its statutory sufficiency duty by providing good quality care, effective parenting and support to children and young people in and leaving care. It described the principles that were applied when seeking to commission the provision of secure, safe and appropriate accommodation and support

to children in care and care leavers over the next three years. The LAC Sufficiency Strategy provided the underpinning needs analysis that would inform market management work, seeking to ensure that there was the right mix of provision available to meet the needs of children and young people and that the provision mix provided positive outcomes and value for money. Whilst the strategy was not primarily a financial one, it was expected that the commissioning and strategic intentions set out would provide significant cost avoidance and savings opportunities and would be essential to the sustainability of improved outcomes and the local authority budget.

Members further noted that the Improving Lives Select Commission had continued to monitor this area of work and had noted in November 2018 that the Looked After Children Strategy was outdated as a result of so much being done. The Commission had recommended that the strategy be refreshed, having noted that the arrival of new personnel in the service and a new approach to market management.

Welcoming the report, Members asked whether it would be possible to include the standard deviation in respect of out of borough placements, rather than just the mean figure. Furthermore, Members recognised that the large number of looked after children might simply mean that the stock of foster carers might not be sufficient to meet the expectations of the strategy. In response, officers indicated that the standard deviation figures could be provided to Members. With regard to foster carers, it was considered that these were still available, but the authority was in competition with the independent sector who were targeting them too.

Members also sought further information on how officers sought the engagement of looked after children in market management. In response, it was confirmed that officers had liaised with the Looked After Children's Council to enquire whether they wished to be involved in the work. It was felt that the strength of the voice of looked after children was developing all of the time, but a further conversation in a more engaging way to secure their involvement.

Resolved:-

1. That Cabinet be advised that the recommendations be supported.
2. That an update be provided to Improving Lives Select Commission in January 2020 on the implementation of the strategy.

5. ROTHERHAM'S CULTURAL STRATEGY 2019 - 2026

Consideration was given to a report presented for pre-decision scrutiny ahead of the Cabinet meeting scheduled for 10 June 2019 and submitted by the Strategic Director of Regeneration and Environment in respect of the proposed adoption of the Cultural Strategy 2019-26. This had

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previously been considered by the Overview and Scrutiny Management Board on 15 May 2019, where Members had recommended that the Cabinet not consider the report on 20 May 2019 due to the failure to include an equality impact assessment with the agenda papers (minute 228 refers).

It was noted that the new Cultural Strategy had been produced in collaboration with members of the public and partners from across the cultural, leisure, green spaces and tourism sectors. This was the first Strategy produced by the local Cultural Partnership Board since it was established in 2018. In introducing the report, the Cabinet Member for Cleaner Greener Communities stated that scrutiny Members now had received the equality analysis for the strategy on a couple of occasions and comments thereon would be welcomed. In addition, officers had taken on board Members' feedback in respect of the lines of accountability for the delivery of the strategy and referred the Board to specific provisions within the report.

Referring to the accountability arrangements, Members felt that a flowchart would have been a better way to summarise the relationship between the various groups and bodies. In response, the Cabinet Member for Cleaner Greener Communities indicated that officers would circulate this to Members outside of the meeting.

Members welcomed the inclusion of the equality analysis and highlighted the conflation of the protected characteristics of gender and sex, reminding those in attendance that gender was not a protected characteristic. In response, it was confirmed that the equality analysis was a live document and would be amended in light of Members' feedback

Referring to the previous discussion on 15 May 2019, the Chair advised that Members welcomed the new Strategy and that the Board would wish to monitor its implementation after a twelve month period, with a report to be provided back to the Overview and Scrutiny Management Board in June 2020.

Resolved:-

1. That Cabinet be advised that the recommendations be supported.
2. That the Equality Analysis be amended to reflect the correct protected characteristics prior to consideration by Cabinet.
3. That a structure chart be developed to outline governance arrangements and lines of accountability and this be circulated to members of Overview and Scrutiny Management Board.
4. That an update be provided in June 2020 to Overview and Scrutiny Management Board on the implementation of the strategy.

6. ROTHERHAM EMPLOYMENT AND SKILLS STRATEGY

Consideration was given to a report which was presented for pre-decision scrutiny by the Strategic Director of Regeneration and Environment which was due to be determined by the Cabinet on 10 June 2019. The report provided detail of the Rotherham Employment and Skills Strategy. It was reported that the strategy was a Rotherham Together Partnership (RTP) document which linked to the existing Rotherham Economic Growth Plan, to provide a framework for delivery of employment and skills activity over the next five years. This was considered to be essential to provide a suitably enterprising and skilled local workforce to drive forward the sustainable long term growth of the Rotherham economy and allow it to compete in an increasingly global economy.

Members referred to the employment market for the local health economy and the shortage of health workers and health apprenticeships and sought to understand confidence levels in respect of work being undertaken to invest in that workforce. In response, the Strategic Director advised that the strategy was a partnership document and that the Council's role was to influence and inform, but it was recognised that the future skills agenda was very important. Furthermore, the authority was cognisant of the need to better connect the approach to skills levels in the workforce across the borough in public and private sectors. The Cabinet Member for Jobs and the Local Economy added that it was key that all partners bought into the provisions of the strategy, as it would only be as good as the level of commitment shown by partners.

Reference was made to female economic inactivity, with 79% cited as being inactive and not wanting a job. Assurances were sought that this was properly addressed within the strategy and action plan. In response, officers confirmed that the figures did up carers following a piece of work undertaken by Sheffield Hallam University. It was recognised that more work was needed in this area on how this group could be better supported as the strategy development. It was noted that the Employment and Skills Sub-Group of the Rotherham Together Partnership would oversee progress in this area. Members felt that this required further discussion within the equality analysis accompanying the report.

Members noted that there were a number of dependencies within the strategy on external funding and other agencies and sought to understand how the risks of not securing funding or support from those agencies would be managed. In response, the Strategic Director advised that the success measure for the strategy was dependent on partners and other agencies across the local region and nationally.

Members referred to duty to encourage skills as well as education and, referring to the recommendations from the Youth Cabinet in respect of the work experience offer for young people, sought to understand the degree to which this would be deliverable. In response, officers referred to the

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Gatsby Benchmarks, which were not specific on what was to be provided. Schools were ultimately responsible for determining and delivering the work experience offer for their students and it was known that there was variable approaches adopted across different schools around the borough. The strategy had set out what the partners had considered to be desirable, but work was required to give effect to this and conversations would be ongoing with schools to establish how this could be supported.

Reference was made to the internal and external migration and the trend for young people to move out of the borough to seek employment. Assurances were sought in respect of the actions being taken to remedy this so that young people from Rotherham's good educational establishments could contribute to and enjoy the economic success of the borough. In response, the Strategic Director indicated that further analysis was required on the data provided by Sheffield Hallam University, but referred to anecdotal information as to why young people move around, particularly in respect of going to university in other areas.

Members expressed concerns in respect of the lack of detail within the action plan. In response, officers confirmed that this would be developed further with the Employment and Skills Sub-Group and gave assurances that this would be worked on in due course.

Resolved:-

1. That Cabinet be advised that the recommendations be supported.
2. That consideration be given to the design of the document to ensure that it is accessible.
3. That consideration be given to what steps can be taken to address barriers to employment or training such as lack of photographic identification or access to bank accounts.
4. That consideration is given to how meaningful work experience opportunities can be given to young people
5. That the Equality Analysis be reviewed to ensure that it reflects sex/gender inequality in the employment and skills market.
6. That a detailed action plan be provided with clear, targets, milestones and measures in three months' time to Improving Places Select Commission.

7. ADOPTION OF A SEX ESTABLISHMENTS POLICY

Consideration was given to a report submitted by the Strategic Director of Regeneration and Environment for pre-decision scrutiny ahead of the Cabinet meeting scheduled to take place on 10 June 2019 in respect of the proposed adoption of a policy to regulate sex establishments across the borough. It was reported that following public consultation, the Council passed a resolution on 22 May 2019 to adopt powers to regulate sex establishments across Rotherham from 1 July 2019. The adoption by Council of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, now allowed the Council to set a clear policy.

It was further reported that the proposed policy would cover all sexual entertainment venues, sex cinemas and sex shops. If adopted, the Policy would allow the Local Authority to better regulate sex establishments, taking account of the views of residents, including the appropriate number and localities for such establishments and the establishment of welfare conditions for those working within such establishments. Based on the feedback from public consultation the report proposed the adoption of a Sex Establishments Policy, to be effective from 1 July 2019. Members noted that, whilst the Council would still be required to consider applications when they arise, the policy proposed that the appropriate number of Sex Entertainment Venues and Sex Cinemas in each Ward of the Borough should be nil.

Members expressed some concern that the Council might be able to defend the figure of the proposed fee for sex establishment licences. In response, officers remarked that there was a fair observation, however the authority had the power to set what it considered to be a reasonable fee and, having taken all matters into account, determined that the proposed fee was such.

There was a broad level of support for the provisions of the policy from Members, but some concerns were expressed in respect of how the authority would ensure that the provisions of the policy were being regulated, how covert visits to premises would be undertaken and how the views of workers in such establishments would be elicited. In response, officers confirmed that it would be responsibility of the Enforcement Team, which was already in operation for the regulation of licenced and business premises. The focus would continue to increase on such establishments and enforcement and regulation approaches would seek to ensure that the authority's obligations were met to the public and those working in such established.

Resolved:-

1. That Cabinet be advised that the recommendations be supported

8. PROPOSAL FOR A PUBLIC SPACE PROTECTION ORDER IN THE FITZWILLIAM ROAD AREA

Consideration was given to a report presented for pre-decision scrutiny which had been submitted by the Strategic Director of Regeneration and Environment ahead of the Cabinet meeting scheduled to take place on 10 June 2019 where the matter was due to be determined. It was reported that following the Cabinet decision on 18 March 2019, the Council had launched a targeted consultation in relation to a proposed Public Space Protection Order (PSPO) for the Fitzwilliam Road area. The draft order published proposed a range of conditions as detailed within the body of the report. The report detailed the consultation process and summarised the responses received during the consultation, finally making recommendations based upon the views expressed.

Recognising that much of the point of the PSPO was to increase the efficiency of enforcement officers, Members sought to understand how much more productive they might be in their enforcement activity and how that would be measured. In response, officers advised that there was no specific estimate as to how much more productive enforcement activity would be and that it would be challenging to quantify that.

Assurances were sought in respect of the plans in place to complement enforcement with education, particularly in view of the cultural links in the area of the proposed PSPO. In response, officers advised that there had been a lot of work within Eastwood prior to the development of the PSPO with the introduction of the Eastwood Deal and street champions, which had been a recent development, who were residents who were happy to be ambassadors and offer education. Officers also worked with Clifton Learning Partnership and REMA to work with the community. An example was provided of a tidy garden scheme, which would provide clear and concise information in respect of what was expected in terms of maintaining gardens and open spaces.

Members sought clarification in respect of how the PSPO would work and wished to understand what contingency arrangements were. In response, officers confirmed that additional plans were always in development, but principally the approach would rely on redoubling efforts to change behaviours. The PSPO was considered to be part of a suite of options available to improve public spaces and community areas and enforcement activity was relatively straightforward in process terms, particularly in view of the use of fixed penalty notices. Members were encouraged not to be concerned in respect of the paperwork involved in administering enforcement activities.

Following on from earlier comments in respect of the difficulty of enforcement, and despite the high degree of support for the introduction of the PSPO, Members sought to understand how the authority would follow up with individuals who refused to pay the fines issued as part of that enforcement activity. Furthermore, Members sought assurances as to

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how success would be measured so that they could be assured as to the value of introducing such an order. In response, officers advised success would be measured in similar ways to the existing PSPO in place for Rotherham town centre. In terms of specific measurements, the team would monitor reported levels of anti-social behaviour and crime data. As a result of some of the challenges raised by the public in consultation period, officers were keen to keep engagement open with the community to understand how the introduction of the order was progressing from the public perspective. It was proposed that the implementation of the PSPO should be reviewed by the end of its first year in operation and that would be an opportune time to address any issues of concern.

Members queried how the proposed PSPO would link with the Council's Thriving Neighbourhoods agenda. In response, officers confirmed that community safety and enforcement teams worked closely with the Neighbourhoods Service and plans sat alongside each other. Officers from services met on a monthly basis to review progress against plans and check that priorities were being met.

Resolved:-

1. That Cabinet be advised that the recommendations be supported.
2. That an update be provided to Improving Places Select Commission in six months' time on the implementation of the Public Space Protection Order

9. URGENT BUSINESS

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

10. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next meeting of the Overview and Scrutiny Management Board be held on Wednesday 3 July 2019 commencing at 11.00 a.m. in Rotherham Town Hall.