



# Council

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**Wednesday, 30 October 2019**

**2.00 p.m.**

**Council Chamber, Town Hall,**

**Moorgate Street, Rotherham. S60 2TH**

**Rotherham**  
Metropolitan  
Borough Council 

# WELCOME TO TODAY'S MEETING

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## GUIDANCE FOR THE PUBLIC

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

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

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

Copies of the agenda and reports are available on the Council's website at [www.rotherham.gov.uk](http://www.rotherham.gov.uk). The public can also have access to the reports to be discussed at the meeting by visiting the Reception at Rotherham Town Hall. The Reception is open from 8.30 a.m. to 5.30 p.m. each day. You may not be allowed to see some reports because they contain private information and these will be marked accordingly on the agenda.

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

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

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

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## FACILITIES

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

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

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

Contact:- James McLaughlin, Head of Democratic Services  
Tel.:- 01709 822477  
[james.mclaughlin@rotherham.gov.uk](mailto:james.mclaughlin@rotherham.gov.uk)

Date of Publication:- **22 October 2019**

# COUNCIL

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Wednesday, 30 October 2019 at 2.00 p.m.  
Council Chamber, Town Hall, Moorgate Street, Rotherham. S60 2TH

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THE MAYOR (Councillor Jenny Andrews)  
DEPUTY MAYOR (Councillor Ian Jones)

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CHIEF EXECUTIVE (Sharon Kemp)

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## MEMBERS OF THE COUNCIL

### ANSTON AND WOODSETTS

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

### KEPPEL

CLARK, Maggi  
CUTTS, Dave  
HAGUE, Paul

### SITWELL

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

### BOSTON CASTLE

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

### MALTBY

BEAUMONT, Christine  
PRICE, Richard  
RUSHFORTH, Amy L.

### SWINTON

CUSWORTH, Victoria  
SANSOME, Stuart  
WYATT, Kenneth J.

### BRINSWORTH AND CATCLIFFE

BUCKLEY, Alan  
CARTER, Adam  
SIMPSON, Nigel G.

### RAWMARSH

BIRD, Robert  
MARRIOTT Sandra  
SHEPPARD, David R.

### VALLEY

ALBISTON, Kerry  
REEDER, Kathleen  
SENIOR, Jayne E.

### DINNINGTON

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

### ROTHER VALE

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

### WALES

BECK, Dominic  
WATSON, Gordon  
WHYSALL, Jennifer

### HELLABY

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

### ROTHERHAM EAST

COOKSEY, Wendy  
FENWICK-GREEN Deborah  
KHAN, Tajamal

### WATH

ATKIN, Alan  
ELLIOT, Jayne C.  
EVANS, Simon

### HOLDERNESS

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

### ROTHERHAM WEST

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

### WICKERSLEY

ELLIS, Susan  
HODDINOTT, Emma  
READ, Chris

### HOOBER

LELLIOTT, Denise  
ROCHE, David J.  
STEELE, Brian

### SILVERWOOD

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

### WINGFIELD

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

# Council Meeting Agenda

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**Time and Date:-**

Wednesday, 30 October 2019 at 2.00 p.m.

**Venue:-**

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

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**1. ANNOUNCEMENTS**

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

**2. APOLOGIES FOR ABSENCE**

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

**3. COMMUNICATIONS**

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

**4. MINUTES OF THE PREVIOUS COUNCIL MEETING (Pages 1 - 29)**

To receive the record of proceedings of the ordinary meeting of the Council held on 4 September 2019, and to approve the accuracy thereof.

**5. PETITIONS**

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

**6. DECLARATIONS OF INTEREST**

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

**7. PUBLIC QUESTIONS**

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



## **8. EXCLUSION OF THE PRESS AND PUBLIC**

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

Agenda Item 13 (Council Delivery of New Homes on Rotherham Town Centre Sites) has an exempt appendix. Therefore, if necessary when considering those items, the Mayor 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 item of business on the grounds that it involves 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.

## **9. LEADER OF THE COUNCIL'S STATEMENT**

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

## **10. MINUTES OF THE CABINET MEETING (Pages 30 - 45)**

To note the minutes of the Cabinet Meeting held on 16<sup>th</sup> September, 2019.

## **11. RECOMMENDATION FROM CABINET - ADOPTION OF POLICIES TO SUPPORT ELECTED MEMBERS (Pages 46 - 59)**

To consider a recommendation from Cabinet in respect of the adoption of a suite of policies to encourage candidates to stand for election as councillors and to provide enhanced support to Elected Members.

## **12. RECOMMENDATION FROM CABINET - REVIEW OF POLLING PLACES (Pages 60 - 68)**

To consider recommendations from Cabinet in respect of the final proposals arising from the review of polling places in the borough.

## **13. RECOMMENDATION FROM CABINET - COUNCIL DELIVERY OF NEW HOMES ON ROTHERHAM TOWN CENTRE SITES (Pages 69 - 102)**

To consider a recommendation from the Cabinet in respect of the delivery of new homes on Rotherham Town Centre sites.

## **14. RECOMMENDATION FROM CABINET - ADOPTION OF A REVISED STATEMENT OF COMMUNITY INVOLVEMENT (SCI) (Pages 103 - 110)**

To consider a recommendation from Cabinet to adopt a revised Statement of Community Involvement.

**15. AMENDMENT TO THE CONSTITUTION - RESPONSIBILITY FOR FUNCTIONS - TERMS OF REFERENCE FOR CABINET (Pages 111 - 115)**

To amend Appendix 9 of the Constitution (Responsibility for Functions) to reflect the Leader of the Council's proposed amendment to the Cabinet's terms of reference.

**16. MEMBERSHIP OF POLITICAL GROUPS ON THE COUNCIL, POLITICAL BALANCE AND ENTITLEMENT TO SEATS (Pages 116 - 122)**

To report on the operation of political groups, the change to the political balance of the Council and the entitlement of each group and non-aligned Members to seats on the authority's committees.

**17. COMMUNITY GOVERNANCE REVIEW - RAVENFIELD PARISH COUNCIL (Pages 123 - 135)**

To consider the commencement of a community governance review in respect of Ravenfield Parish Council.

**18. OVERVIEW AND SCRUTINY UPDATE (Pages 136 - 154)**

To receive an update on the activities of the Council's Overview and Scrutiny bodies in accordance with Council Procedure Rule 14.

**19. CHILDREN'S COMMISSIONER'S TAKEOVER CHALLENGE SCRUTINY REVIEW: YOUNG CARERS (Pages 155 - 172)**

To receive for information the scrutiny review report from the Rotherham Youth Cabinet in respect of young carers.

**20. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS (Pages 173 - 179)**

To receive updates from ward councillors from Sitwell, Swinton and Valley on the activities supporting Thriving Neighbourhoods across the Borough.

**21. NOTICE OF MOTION - CLIMATE CHANGE EMERGENCY**

In the most recent State of the UK Climate 2017 report, trends show that the UK climate is continuing to warm and that sea levels continue to rise:

- We will be experiencing summers that are 2.5°C warmer,
- Our winters will be milder with the average temperatures being 2.2°C warmer
- There may be a 16% decrease in summer rainfall making our summers much drier but more
- variable
- Winters will be wetter with an average of 14% more rainfall
- Mean sea levels around the UK have risen by about 16 cm since the start of the 20th Century.

The IPCC Special Report on Global Warming published in October 2018 states that we have just 12 years to act on climate change if global temperature rises are to be kept within the recommended 1.5 degrees Celsius.

The government has set a target date of 2050 for Britain to produce “net zero” carbon emissions. All governments (national, regional and local) have a duty to limit the negative impacts of climate change, and local authorities that recognise this should not wait for their national governments to change their policies.

In recent years, Rotherham Council has been reducing its carbon emissions by about 3% per year.

Recent statistics from the energy switching website [migrate.co.uk](https://migrate.co.uk) suggest that over the last 10 years Rotherham has seen the fifth biggest reduction of our emissions overall amongst 21 local authorities in Yorkshire & the Humber. Nationally to date over half of the Councils in England have declared a climatic emergency as has the National Government. Rotherham has previously developed a climate change strategy but now is the time to reassess our objective for the years ahead.

This Council notes that there are significant opportunities to reduce RMBC’s carbon emissions over the coming years:

1. The proposed development of a district heat network from Templeborough Power Plant, powered by sustainable biomass
2. The proposed introduction of a community energy switching scheme, moving properties including council homes onto 100% renewable sources of electricity
3. The recent installation of electric vehicle charging points, including for council vehicles, and future re-provision of the council’s fleet of vehicles
4. Encouraging external providers of Council services to reduce their carbon emissions as part of our Social Value Policy
5. The proposed planting of fifty million trees across the country, including potentially some in Rotherham, as part of the “Northern Forest”

This Council therefore resolves to:

1. Join other local authorities in declaring a climate emergency.
2. Create a Members working group to propose an informed target for the Council’s carbon reduction by 2025 and to review it every five years thereafter, and to develop a “Carbon Action Plan” towards these goals, and that this working group should report back to the Council no later than March 2020.
3. Develop a strategy for RMBC to play a leadership role in promoting community, public and business partnerships in reducing carbon emissions
4. Mandate officers to lobby government for additional resources to support this strategy where these are required
5. Pledge to produce, in January of each year, a Rotherham Climate Emergency Annual Report, detailing the Council’s progress against the Carbon Action Plan.
6. Pledge to ask our partner organisations across Rotherham to support us by making clear commitments to dealing with this climatic crisis.

7. Require all officer reports from April 2020 to Cabinet and Full Council to contain Impact assessments in relation to Climate change.

Proposer:- Councillor Roche

Seconder:- Councillor Allen

**22. STANDARDS AND ETHICS COMMITTEE (Pages 180 - 184)**

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

To confirm the minutes as a true record.

**23. AUDIT COMMITTEE (Pages 185 - 190)**

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

To confirm the minutes as a true record.

**24. HEALTH AND WELLBEING BOARD (Pages 191 - 201)**

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

To confirm the minutes as a true record.

**25. PLANNING BOARD (Pages 202 - 213)**

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

To confirm the minutes as a true record.

**26. STAFFING COMMITTEE (Pages 214 - 215)**

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

To confirm the minutes as a true record consider a recommendation to approve the authority being a signatory to GMB's Work to Stop Domestic Abuse Charter.

**27. LICENSING BOARD (Pages 216 - 228)**

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

To confirm the minutes as a true record.

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

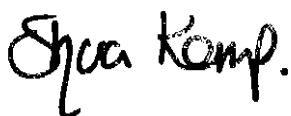
To put questions, if any, to the designated Members on the discharge of functions of the South Yorkshire Police and Crime Panel, South Yorkshire Fire and Rescue Authority, Barnsley, Doncaster, Rotherham and Sheffield Combined Authority and South Yorkshire Pensions Authority, in accordance with Council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

## **29. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN**

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

## **30. URGENT ITEMS**

Any other public items which the Mayor determines are urgent.



**SHARON KEMP,**  
Chief Executive.

**The next meeting of the Council will be on  
Wednesday 4 December 2019 at 2.00 p.m. at Rotherham Town Hall.**

**COUNCIL MEETING**  
**4th September, 2019**

Present:- The Mayor (Councillor Jenny Andrews) (in the Chair); Councillors Alam, Albiston, Allcock, Allen, Atkin, Beaumont, Beck, Bird, Brookes, Carter, Clark, Cooksey, Cowles, Cusworth, B. Cutts, D. Cutts, Elliot, M. Elliott, R. Elliott, Ellis, Fenwick-Green, Hague, Hoddinott, Ireland, Jarvis, Jepson, Jones, Keenan, Khan, Lelliott, McNeely, Mallinder, Marles, Marriott, Napper, Pitchley, Read, Reeder, Roche, Rushforth, Sansome, Sheppard, Short, Steele, Taylor, John Turner, Julie Turner, Tweed, Vjestica, Walsh, Watson, Williams, Wilson and Wyatt.

The webcast of the Council Meeting can be viewed at:-  
<https://rotherham.public-i.tv/core/portal/home>

**230. ANNOUNCEMENTS**

The Mayor was also pleased to present her activity since the last Council meeting which was attached for information to the Mayor's letter.

The Mayor drew attention to various events she and the Mayoress had attended both in Rotherham and Sheffield, including Yorkshire Day and the Cadets Association for Yorkshire and Humber.

The Mayor also highlighted forthcoming events with:-

- Rotherham Show this coming weekend on 7<sup>th</sup> and 8<sup>th</sup> September.
- Ladies's Day at Hellaby Hall in aid of the Mayor's charity on 12<sup>th</sup> September.
- RMBC Garden Competition awards ceremony at Clifton Park on 18<sup>th</sup> September.
- Pride of Rotherham Awards on 27<sup>th</sup> September.

**231. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Buckley, Price, Russell, Senior, Simpson, Whysall and Yasseen.

**232. COMMUNICATIONS**

There were no communications received.

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

**Resolved:-** That the minutes of the meeting of Council held on 24<sup>th</sup> July, 2019, be approved for signature by the Mayor.

Mover:- Councillor Read

Seconder:- Councillor Watson

**COUNCIL MEETING - 04/09/19**

**234. PETITIONS**

The Mayor reported receipt of two petitions, which had not met the threshold for consideration by Council, and would be referred to the relevant directorate for a response to be prepared:-

- Containing 100 signatures calling on the Council to include the Grange Estate in the 2021 Resurfacing Programme due to the number of complaints about potholes, blocked gullies, broken road surfaces and loose gravel.

Councillor Short addressed the Council as part of the presentation of the petition.

- Containing 26 signatures calling on the Council to suspend the recent changes to the petition scheme and fully consult with members of the public, specifically those who have used the petition scheme over the past two years, and carry out an equality impact assessment on any proposed changes before implementing any further changes.

Mr. Harron addressed the Council as part of the presentation of the petition.

**235. DECLARATIONS OF INTEREST**

There were no Declarations of Interest to report.

**236. PUBLIC QUESTIONS**

**(1) Mr. Harron** asked since the Jay Report in August 2014, how many gold group investigations into services had RMBC either initiated, or participated in, because of complaints about either commissioned services, non-commissioned services or any RMBC services?

The Leader confirmed “Gold” was a term and a command hierarchy used for major operations or issues within and across public services. A Gold Group was used to formulate the strategy for dealing with the operation and responding to issues in a strategic fashion in relation to those instigated with complaints against services either the Council commissioned or provided directly and since the Jay Report there had been one such organised investigation.

In a supplementary question Mr. Harron asked the Leader if he could explain broadly the nature of the threat or why such that a Gold Group investigation was set up.

The Leader explained that in broader terms there were a number of complaints overlapping and inter-related complaints of a serious nature which would fall within the remit of different organisations to investigate.

In this case it related to one supplier of services and at that point in time it was decided that the best way to co-ordinate an investigation was to run that through a Gold structure.

(2) **Elizabeth** was unable to attend the meeting so would be provided with a written response to her question.

(3) **Mr. Cawkwell** was unable to attend the meeting so would be provided with a written response to his question.

(4) **Mr. Thirlwall** asked could the Leader please tell him who was the Leader of the official Opposition Party in the Council, which political party he/she represented, how many Opposition members there were in that group and how much the Leader of the Opposition received in Special Responsibility Allowance.

The Leader confirmed Councillor Allen Cowles was leader of the main Opposition group – the Brexit Party Group and he himself was a member, as per the notification provided to the Proper Officer on the formation of that group in July, 2019. The Brexit Party Group consisted of eleven Members.

In addition, the Members' Allowances Scheme had set the Special Responsibility Allowance for the Leader of the Main Opposition Party at £8,617 and Councillor Cowles had, therefore, been in receipt of the allowance since May, 2016.

As part of a supplementary question Mr. Thirlwall having looked at the Register of Interests late last week all eleven of those Members were still listed as being in the UKIP Party.

Miraculously when he looked yesterday the majority had changed to the Brexit Party. This question had been raised on three separate occasions since October, 2018 and as Leader it was made clear that the responsibility for completing the Register of Interest was the individual Councillor and no one could do it on their behalf.

On this basis who gave the instruction to alter the Register of interests in the last couple of days, when was it completed, was it altered without the proper authorisation of the individual Councillor, which was gross misconduct by an officer of the Council. If this was the case whereby instructions to delete those amendments must be made thus reverting those Members back to the UKIP Party.

The Leader was, therefore, then asked if he would be referring those Councillors to the Standards and Ethics Committee because they had not completed their Register of Interests within twenty-eight days. Finally would the Leader be seeking to recover the £8,000 Special Responsibility Allowance because it would appear that Councillor Cowles was a member of the Brexit Party, but the other eleven were not.



The Leader confirmed Mr. Thirlwall was quite right that the responsibility did lay with the individual Member to make sure their Register was updated. He was not aware there had been an instruction for them to change and had not been involved in any issues around this.

The Leader reiterated that for all Members if they were Members of a Political Party then those should be declared. If it was believed a Register of Interest had been tampered with without permission he encouraged Members to come forward, but was not aware of any evidence to suggest that this was the case.

However, if it was proven that a Member had not updated their Register of Interests within the mandatory twenty-eight days then this was certainly something that could be reported to the Standards and Ethics Committee.

The Leader agreed to confirm this in writing to Mr. Thirlwall at his request.

**237. 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.

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

The Leader wanted to share the early reports that pupils from across the Borough's sixteen secondary schools had achieved exceptional GCSE results. This was excellent news and of particular note was the achievements of some of Rotherham's students especially with **Billie Moss** (Aston Comp) who achieved ten Grade 9 (old A\*) (one of the highest achievers across the country), **Stephen Cheshire** (Oakwood Comp) achieved seven Grade 9 (old A) and also sat his A Level Maths two years early gaining A\*, **Goda Zabitaite** (Swinton Academy) achieved five Grade 9, two Grade 8 and one Grade 6 GCSE passes and **Alijah Mustafa** (Clifton Community School) achieved four Grade 9 and five Grade 8 GCSE passes.

Success had also been achieved by students across Rotherham who received their A-Level results seeing a 99% pass rate for the borough. Wath and Swinton scored the highest pass rates in the borough, with 100% of pupils passing their exams. Wath also had 86.5% of pupils achieving an A\* – Grade C, and an impressive 36% of pupils graded A\*–A.

It was impressive that the Looked After Children's results had also improved across all stages on last year.

In terms of Operation Stovewood there had been a further conviction of six men last week bringing the total number of convictions for historic CSE crimes in Rotherham to nearly forty. In partnership with the NCA the Council would continue to seek justice for all victims and survivors of CSE in Rotherham.

With regards to the HS2, the Prime Minister had requested a review of HS2 which would be carried out by Douglas Oakervee a retired engineer who previously chaired HS2 Ltd. and worked with the Prime Minister when he was London Mayor. The Leader along with Ros Jones, The Mayor of Doncaster, met with Doug Oakervee last night and points were made at a constructive meeting. Assurances were given that the voices of residents in Rotherham and Doncaster have been heard as part of that review.

Finally this week sees the return of the annual Rotherham Show which was set to be bigger and better than previous years marking the Show's 40th Anniversary and still the biggest free show in the North.

In the period where Members could ask questions of the Leader's statement, Councillor Carter echoed the comments about the Key Stage 4 and 5 results throughout the borough, but referred to the recent convictions arising from Operation Stovewood. It was Councillor Carter's understanding that in his judgement the Judge spoke harshly about the leadership of this Council and asked whereabouts on the spectrum would the Leader say that this Council was.

The Leader confirmed the Judge did comment harshly about the failures in the past in Rotherham which were severe and systematic over a long period of time. Rotherham would continue to live with the consequences of those actions. It was entirely understandable that those criticisms were made, but the Council was now a long way away from that situation today and would not be complacent about the threats to children and young people not just from CSE but in other exploitation. The Council knew it had to continue to provide the best services it could for people who were let down in the past and work was ongoing to deliver this into the future. In looking at the work to date, as reported on by Commissioners and independent observers, the Council demonstrated its progress and this was confirmed by the latest Ofsted report for Children's Services and would continue to progress in the future.

## **239. MINUTES OF THE CABINET**

**Resolved:-** That the reports, recommendations and minutes of the meeting of the Cabinet held on 8<sup>th</sup> July, 2019, be received.

Mover:- Councillor Read

Seconder:- Councillor Watson

**240. AUDIT COMMITTEE ANNUAL REPORT 2018/19**

Consideration was given to the report which set out in detail the Annual Report 2018/19 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 the guidance recommended that Audit Committees should report annually on how they have discharged their responsibilities.

Copies of the Audit Committee's Terms of Reference for 2018/19 and 2019/20 were also included in the Appendix for information.

**Resolved:-** That the Audit Committee Annual Report 2018/19 be approved.

Mover:- Councillor Wyatt

Seconder:- Councillor Walsh

**241. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS**

Further to Minute No. 55 of the meeting of the Cabinet held on 19<sup>th</sup> November, 2018, consideration was given to the annual Ward Updates for Rotherham East, Rotherham West and Silverwood as part of the Thriving Neighbourhoods Strategy.

The Strategy signalled a new way of working for the Council both for Members and for staff and covered every Ward in the borough delivered through Ward Plans developed with residents to address local issues and opportunities. Ward Members would be supported by the neighbourhood team and would work with officers and residents from a range of organisations to respond to residents.

Councillors Cooksey, Khan and Fenwick-Green, on behalf of the Rotherham East Ward, gave an update on their ward priorities.

Councillor Khan welcomed the change to the Thriving Neighbourhood initiative and the style of working. This had previously been echoed around the Chamber by other Ward Members. The Deputy Leader was, therefore, thanked for the neighbourhood initiative.

Ward Members had worked within the community to set up sessions with different groups and provide advice and support where required. This had worked really well and had been achieved across the whole Ward.

Ward Members specifically wanted to thank Council staff and the local PCSOs and the Police who worked tirelessly to forge working relationships and to ensure the communities were at the heart thus achieving a more collaborative approach.

This reaching out approach secured improvements and had made a difference to vulnerable groups that may not have been achieved previously. The Ward also had a Community Newsletter which was delivered to every household and community drop-in sessions where it was important to listen and advise.

Recognised achievements included the Eastwood Plan and working alongside a number of partners and partnerships, including various community centres, Mowbray Gardens Library, the Unity Centre, REMA and the Canal and River Trust where fantastic changes were made to open up fields thus making it more attractive for local wildlife.

Councillor Cooksey emphasised the need to listen to residents and consider their views when looking at any potential schemes for the devolved budget. It was only after listening to the concerns of local people about the poor state of St. Ann's underpass that the work of a local artist and illustrator was commissioned which improved the area. The completed murals celebrated famous Rotherham landmarks and residents from the past. This has also led to other commissions in other Wards.

This project also brought different groups together with help from the local youth club at My Place and the Red Cross as well as a Candidate Day in collaboration with Rotherham love where you live.

There had been some brilliant partnership working with partners and groups in Rotherham East Ward who have been so instrumental in providing assistance for other projects such as the mobile library and community hubs in East Dene and Herringthorpe which facilitated a number of diverse groups such as knit and natter, Rotherham Anglers, Polish/Anglo Polish; who consequently had written a book with fascinating stories of Polish immigrants after the Second World War which was also available to loan from the library. The library had also been mentioned in an academic paper in Malaysia which was about adult and community learning in England. One other project worthy of mention was the flourish programme, also held at the library highlighting mental health which was using creative methods such as writing and art to promote mental wellbeing. This was crucial in helping people to live their lives to the full.

Clifton Learning Partnership, a registered charity, also ran a community cafe and grew some of their own produce at the back of the centre. The charity worked hard with families in the area to try to address issues such as unemployment and poverty and Ward Members were pleased to be able to fund their adventure playground believing that play helped young children to develop.

In addition, over the summer the Sheffield and Rotherham Wildlife Trust had done some amazing work with local young volunteers to build an assault course with monkey bars, a barbecue area and a bee-friendly garden.

**COUNCIL MEETING - 04/09/19**

St. Stephen's Neighbourhood Watch also received recognition from South Yorkshire Police and were presented with the Chief Inspector's Certificate for all their hard work dedication and commitment within the community. They were also supported through the Community Leadership Fund.

The Unity Centre, the home to many different groups, recently supported a coming together event for the Yemeni Community, jointly funded by Rotherham East and Boston Castle colleagues.

It was also pointed out that Ward Members would continue to work with the TARA at Bakersfield and the newly formed Springwell Gardens TARA.

Councillor Fenwick-Green echoed many of the comments of her Ward colleagues, but reiterated it had not been easy working in the Ward. Many of the issues identified by residents had led to positive improvements especially with newly installed cameras and lighting around Pocket Park, the removal of green debris, removal of dens that attracted anti-social behaviour and upskilling young people.

The National Trust had also been involved in the area with the installation of bat and bird boxes which the young people had enjoyed being involved in. There had also been some discussion about placing cameras in the boxes to link up with the new season.

Ward Members had also been instrumental in the development of a local scheme/competition asking people to look after their environment, which was progressing well and hopefully the message would get through.

Every effort was being made to involve the community in a number of projects and for them to take ownership and involve young people.

Moving on to the Rotherham West Ward Councillor Keenan described it as being as busy and vibrant with diverse areas and many places of worship, including Liberty Church who were involved with the food bank, the Mosque assisting with the curry night for Shiloh and St. Paul's who ran a community café.

She referred to various projects the Ward Councillors had been involved in, the recent picnic, the tremendous work undertaken by Shiloh, the homeless charity, and the involvement in their outdoor garden. Local artists had also been supported with their murals across the borough and Ferham School's homelessness project had seen scooters, helmets and high-vis vests being provided to enable some of the young people to become Loneliness Ambassadors. The scooters enabled them to get around the school site much quicker and provide support to any child that appeared frightened or lonely.

Ward Members were also involved with skips and community clean-up days and this would remain ongoing.

Councillor Jarvis further commented on the newsletter that was circulated around the Ward and the walkabout days within the Masbrough triangle. Issues had been raised about rodents, litter and fly tipping and where possible this had been progressed through Licensing and appropriate advice provided around concerns for benefit irregularities.

Landlord behaviour had also improved considerably following legal action by the Authority and this would be revisited to ensure progress was maintained. A recent door knocking day did uncover some continuing problems which have been forwarded to appropriate officers.

Ward Members continued to promote traffic awareness around local schools and a session was held at Meadow View School with PCSOs and speed cameras. The young people thoroughly enjoyed being able to be involved.

Every effort was being made to improve the lack of good visibility resulting from selfish parking around school sites and an area of derelict land near to Meadow View had resulted in many improvements to anti-social parking.

Surgeries were continuing and additional sessions arranged to support residents who may not have attended. There was a further street skip arranged for the 14<sup>th</sup> September, 2019 and volunteers were welcome. Litter picking equipment had been purchased and some also supplied to local residents who were also proactive in cleaning their area. Equipment had also been purchased for use at Blackburn Youth Centre.

There had also been regular meetings about anti-social behaviour and street nuisance, litter and graffiti where discussion ensued about the placing of Ward CCTV cameras in certain locations.

Many housing issues had also been resolved alongside the newly rolled waste programme.

Ward Members were encouraging people to walk round the Walker Mausoleum site, details of which were all in the newsletter. A huge amount of work has gone into this tidying up this area and following extensive research information sources were to be located on the site and hopefully link in with other historical information points across the borough. There were also plans to relocate some of the gravestones and suggestions with suggestions being received on where they should be placed.

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Councillor Jones endorsed the comments of his Ward colleagues, but expressed his distress at the timeframes of changeover from one process to another placing Rotherham West at a major disadvantage when Area Assemblies were disbanded as this fell within an election period. This meant communication with residents and local groups was very difficult so Ward Members had to consider alternative ways of engaging with communities.

Many of the projects brought forward were as a result of engagement from local schools and parents and this resulted in several largescale projects; some of them were still underway. This included the temporary car park to release school transport and on-road parking issues at a special school.

Work had also taken place with South Yorkshire Community Payback to install a grading system for traffic whilst leaving a field appearance, to assist in a project brambles on a piece of Education land to reopen a very over grown cycle path. This had saved the Council money and captured the imagination of local residents.

One of the Ward's Youth Centres had also received support with gym and environmental equipment to keep young people engaged.

As indicated above a number community skip days had taken place around the Ward and placed in areas of concern.

The Ward was celebrating its heritage with the use of new technology and a virtual reality app allowing the user to visit various sites. A date stone had also been relocated following the demolition of the Psalters Lane Building to a more prominent site in a nearby school that everybody could now visit.

It had been frustrating that during management of the support for projects Ward Members were having to rely more on external support to deliver the projects. However, the implementation of a new social media policy around neighbourhood working would allow for the promotion of events, which had been a failing in the past.

Ward Members had also been instrumental in setting up a co-ordinating group including task and finish groups and found this to be the best way forward for Rotherham West and the Ward would continue to take on this challenge.

Moving on to the Silverwood Ward Councillor Marles described his Ward and its coverage and diversity. This brought new challenges, but the Ward priorities had focused on community safety and community engagement activities for children alongside environmental improvements. Unfortunately, Councillor Russell was ill and had intended speaking on community engagement activity that she had been involved in.

Ward Members had helped fund a few improvements such as new curtains at Staple Green and a new bingo machine at the Apollo Centre and a Christmas party at Staple Green, all of which were well received.

Wherever possible Ward Members engaged with schools and had funded Billy and Belinda bollards at Sandhill Primary School. The young people themselves were able to design the bollards, which were realistic.

In addition, Ward Members had recently funded throw lines at Thrybergh Country Park as the old ones had big plastic rings that were not fit for purpose. It was also the intention to replace the small dog litter bins with bigger mixed waste bins.

Solar lights were also soon to be installed in and around Ravenfield on some cut through footpaths to aid safety and last month, in conjunction with the Swinton Ward, a subsidised young people's activity group was held for two days at Kilnhurst Recreation Ground. This was a big success and the young people had a fantastic time.

Silverwood Ward Members wished to place on record its thanks to the Neighbourhood Working Teams and especially, Julie Colley, from Rawmarsh Customer Service Centre.

Councillor Napper, having held his surgeries at the Apollo Centre, had witnessed the concerns that residents had around the bus stop with vans and cars parked across and plans were in hand for the painting of a yellow box so that parking could be enforced.

Another concern for residents had been for some pavements which were not accessible to wheelchairs and mobility scooters so Ward Members contributed to them being lowered.

At the Apollo Centre support was given to the purchase of bingo and raffle tickets to enable all the proceeds to be given to charity. The Centre was also encouraged to become a TARA and had voted in their Chairman.

At Sandhill Primary a competition was held and the young people were able to pick out their own designs and the winners presented with certificates at a presentation day and they were also invited into the Town Hall by the Mayor.

Complaints had also been received from residents at Elm Tree Farm about traffic speeds so go slow speed signs were painted on the road.

A defibrillator was eventually provided on the Resource Centre at Kilnhurst after some negotiation and training was also provided.

Further projects where the Ward had contributed included:-



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- Boxer fitness sessions for all ages.
- Sight and sound craft class at Staple Green.
- Bingo raffle tickets.
- Christmas dinners.
- Refurbishment at Staple Green.
- Skip day at March Flats.
- Community Grow Group at Ravenfield.
- Community picnic at the Ravenfield Arms.
- Friendship group along with a community group to contact all the isolated pensioners in the area.
- Funded defibrillators and training sessions at the Apollo Centre and Staple Green.
- Solar lights in Ravenfield opposite the Ravenfield Arms now complete.
- Funding for a defibrillator at Hooton Roberts on the wall at the Old Post Office on Doncaster Road with training.

In his right to reply Councillor Watson welcomed the excellent neighbourhood working that was taking place in Wards.

Resolved:- That the Ward updates be received and the contents noted.

Mover:- Councillor Watson

Seconder:- Councillor Read

**242. NOTICE OF MOTION - ADOPTION OF INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE (IHRA) DEFINITION OF ANTI-SEMITISM**

Proposed by Councillor Read and seconded by Councillor Watson:-

This Council:-

1. Abhors racism in all forms.
2. Notes the decision of the Sheffield City Region Combined Authority to join with the government and other local authorities across the UK in signing up to the internationally recognised International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism on 3rd June 2019.

The IHRA working definition states;

*“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, towards Jewish Community institutions and religious facilities.*

*Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectively. However, criticism of Israel similar to that levelled against any other country cannot be regarded as anti-Semitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.*

*Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:*

- *Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.*
- *Making mendacious, dehumanising, demonizing or stereotypical allegations about Jews as such or the power of Jews as collective - such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.*
- *Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.*
- *Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust)*
- *Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.*
- *Accusing Jewish citizens as being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations*
- *Denying the Jewish people their right to self-determination, e.g. by claiming that the existence of the State of Israel is a racist endeavour.*
- *Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.*
- *Using the symbols and images associated with classic antisemitism (e.g. claims of Jews killing Jesus or blood libel) to characterise Israel or Israelis.*
- *Drawing comparisons of contemporary Israeli policy to that of the Nazis*
- *Holding Jews collectively responsible for the actions of the state of Israel."*

This Council therefore resolves to:

1. Restate its condemnation of all forms of racism in all its manifestations

2. Adopt the IHRA definition of antisemitism as the working model for challenging and confronting incidents of this form of racism.

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

(Councillors Alam, Albiston, Allcock, Allen, The Mayor (Councillor Andrews), Atkin, Beaumont, Beck, Bird, Brookes, Carter, Clark, Cooksey, Cowles, Cusworth, B. Cutts, D. Cutts, J. Elliot, M. Elliott, R. Elliott, Ellis, Fenwick-Green, Hoddinott, Ireland, Jarvis, Jepson, Jones, Keenan, Khan, Lelliott, Mallinder, Marles, Marriott, McNeely, Napper, Pitchley, Read, Reeder, Roche, Rushforth, Sansome, Sheppard, Short, Steele, Taylor, John Turner, Julie Turner, Tweed, Vjestica, Walsh, Watson, Williams, Wilson and Wyatt voted in favour of the proposals)

**243. STANDARDS AND ETHICS COMMITTEE**

**Resolved:-** That the reports, recommendation and minutes of the meeting of the Standards and Ethics Committee be adopted, but subject to an amendment to confirm a change to the date of the next meeting as being Wednesday, 18<sup>th</sup> September, 2019.

Mover:- Councillor McNeely

Secunder:- Councillor Clark

**244. AUDIT COMMITTEE**

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

Mover:- Councillor Wyatt

Secunder:- Councillor Walsh

**245. 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

Secunder:- Councillor Mallinder

**246. PLANNING BOARD**

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

Mover:- Councillor Sheppard

Secunder:- Councillor Williams

**247. LICENSING**

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

Mover:- Councillor Ellis

Seconder:- Councillor Beaumont

**248. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS**

**(1) Councillor Cowles** confirmed he had been contacted by a resident who had his garage burgled. Discovered at 6:00 a.m. he spent the next four hours trying 101 to get a crime incident number for insurance purposes. His insurance company were not playing ball as they were unhappy with the reporting delay suggesting he was at fault. He, therefore, asked when would 101 be fit for purpose?

Councillor Sansome confirmed the Police and Crime Commissioner and Chief Constable would be holding their Public Accountability Board meetings on the 6th November, 2019 and 10th March, 2020 at Rotherham Town Hall.

He suggested that if the Leader of the Opposition wished to raise concerns with the Police and Crime Panel that Councillor Cowles join the membership thus holding the Police and Crime Commissioner to account.

In a supplementary question Councillor Cowles reiterated had if he been involved he would not have accepted the 14% increase and would not have rolled over and done what was required. He believed the Panel were not fit for purpose and that members of the public were sick and tired of the system and were reluctant to use it. He reiterated he was not an insurance expert so could not confirm whether or not an insurance company would pay out for the items stolen from the member of the public's garage so asked would the Police and Crime Commissioner pay for them.

Councillor Sansome pointed out that since he had been on the Police and Crime Panel he had raised a number of times the issue of 101 failing, but had not seen any Member of UKIP or the Brexit Party turn up to a Public Accountability Board meeting to ask the Commissioner or the Chief Constable face to face about the issues.

The only Member that had actually turned up was Councillor Short where the budget was passed which would see the number of officers increasing in South Yorkshire; not just for this year, but for the following two years as reported in the Sheffield Star.

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Councillor Sansome took his responsibility seriously and would fight for Rotherham. However, if Councillor Cowles had particular problems perhaps he would prefer to contact the Police and Crime Commissioner, with whom he was in contact regularly, to share the background and to see if this issue could be resolved.

**249. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRS OF COMMITTEES**

**(1) Councillor R. Elliott** confirmed it was good to see the Leader's comments regarding the HS2 review, and asked if he were able to say if the Sheffield City Region and Dan Jarvis held the same views and would they be submitting evidence to the review? If so, would it be fair and representational including Rotherham and Doncaster Councils' views?

The Leader shared the frustration that there had not been consensus across the City Region amongst the Councils about the best route. Rotherham and Doncaster together have taken a particularly strong line about the M18 route saying that this was not the right route. Sheffield have a slightly different view again. Douglas Oakervee who was chairing the Government's review had approached Dan Jarvis about a week ago and said could he come and meet representatives of the City Region for exactly the reason suggested. Mayor Jarvis suggested that separate meetings with the different local authorities would be the better way of allowing the authorities to express their views either way.

This was why last night, alongside Mayor Ros Jones from Doncaster, the Leader met with Doug Oakervee and set out the Council's concerns about the routes and the advantages/disadvantages which came at great cost and impact on communities. Discussion ensued on where it was thought the high-speed network should run and how the cost savings were incorrect. This would be followed up in writing and every opportunity would be taken to cast as much doubt as possible on the Government's plan.

In a supplementary question Councillor Elliott asked whether local action groups' concerns would be represented in any current correspondence they may be between Sheffield City Region and the review bearing in mind that there was only Rotherham and Doncaster Councils who had listened to their residents' concerns, considered the facts and used motions asking for the Leeds leg of HS2 to be scrapped. Sheffield and Barnsley Councils were still sitting on the fence whilst at the same time all South Yorkshire M.P.s with the exception of Sir Kevin Barron, including Sarah Champion, continued to promote. He, therefore, asked if the Leader would authorise the sending of a copy of the motion passed by this Council in December, 2018 for inclusion into the review.

The Leader confirmed he would send a copy of the motion. He would argue that the Secretary of State at the time was ignored when the Government made the decision to change the route. It would be more meaningful to the Government to adjust the impact on communities, as a primary concern, and the case would be made. The motion would, therefore, be shared and any correspondence would also be shared. The issue of action groups was also raised yesterday due to the short timeframe for the review, but the Chair of the Review did indicate that if groups wanted to send correspondence for Councils to passport through this would ensure views were available as part of the Review.

**(2) Councillor Carter** asked would the Council accept applications from Council tenants who owned dogs for flats that were not on the ground floor?

Councillor Beck confirmed the Council would only allow tenants to keep a dog in an upper floor flat if the property had its own entrance (i.e. it did not share the entrance with another household).

The only exception when permission would be granted was for applications to keep a registered guide dog, a registered hearing dog or an assistance dog.

In a supplementary question Councillor Carter asked could the Cabinet Member explain the rationale for the restrictions when there was a housing shortage.

Councillor Beck explained that the problem was where a tenant had an upper floor flat with a shared entrance that they entered the property. They must not have had a dog initially as they would not otherwise have been able to bid on an upper floor flat. Where a tenant then wanted a dog discussion would take place about them potentially moving to say a ground-floor flat with its own dedicated entrance.

It was generally not a problem, but the policy was that if you had a shared entrance with another household they may have allergies or children in the house so a dog using the same entrance may cause a problem.

**(3) Councillor Cowles**, having received a number of complaints concerning the recent late night disturbances along Broom Lane involving the use of fireworks, cars racing along the length of the road, noise, abuse, cars parked on verges and double parked, asked what would the Council do to discourage this behaviour and to ensure it did not happen again?

Councillor Hoddinott was aware that parking issues and noise disturbance during a wedding event between 28th July and 3rd August this year were raised in the press, but pointed out that as far as she was aware, the Council had not received any complaints from residents during this time related to this event.

In a supplementary question Councillor Cowles referred to an incident in Bradford and a recent serious injury to a young man who had a firework thrown at him and asked if the Council would make contact with Bradford to understand what they were doing and if possible adopt similar restrictions to fireworks in Rotherham.

Councillor Hoddinott explained there needed to be some information to determine if the fireworks were in gardens or on the street. She was happy to look at how Bradford could help and learn lessons, but asked Councillor Cowles to provide the details of the individuals that have complained and officers would ensure contact was made with all complainants and their concerns investigated.

**(4) Councillor Carter** referred to the last meeting where the Cabinet Member agreed to raise the issue of reinstating a regular direct bus from Brinsworth to Meadowhall Interchange with bus companies and asked what progress had been made in securing the reinstatement of this regular bus service, something which Brinsworth residents clearly wanted.

Councillor Lelliott explained the operation of any Brinsworth - Meadowhall Interchange route was a commercial decision made by the bus operator. The Council had raised this as an issue, both in email communication with SYPTE and as a formal request through the Rotherham Bus Partnership Operations Group. First and SYPTE were currently looking into the services in the area, but without any financial subsidy the Council could only negotiate and lobby for the reinstatement of the route and urged Ward Members to do the same.

SYPTE have reported that in the short-term there were currently no plans for bus operators to re-introduce this service. Any further updates would be shared with interested parties.

In a supplementary question Councillor Carter asked if he could have a copy of any correspondence advocated to SYPTE.

Councillor Lelliott confirmed this could be provided.

**(5) Councillor Cowles** referred to the Advertiser of the 23<sup>rd</sup> August, 2019 regarding Maltby Cemetery and the wall and fence at £25,000 and believed Dignity were having a laugh. This was a red brick wall with metal railings on top. The bulk of the bricks could be reclaimed and cleaned up and asked was there any wonder that, as a result of the contract, Dignity could charge this sum, while residents were being fleeced?

Councillor Hoddinott explained Dignity would be meeting the full cost of the repairs and there would be no extra cost to the Council or residents and actually the Council did not pay Dignity for this contract they paid the Council.

Dignity were re-erecting the wall and it was heartbreaking for the families that have been involved and whilst it was taking time to source the bricks to recreate the cemetery from the original stone work was going on. The Council's thoughts were with those families who had seen their gravestones knocked down following the crash through the wall by a driver.

Councillor Cowles acknowledged the concerns over the gravestones, but the wall was a small red brick wall with a metal fence on top which seemed unlikely to cost anywhere near £25,000. He was more than happy to look at how this could be done at a lower cost.

Councillor Hoddinott had no reply to his comment.

**(6) Councillor Carter** referred to the wildflowers in the central reservations of roads in the borough which have brightened up the area and asked could the Cabinet Member please clarify whether the flowers used were all indigenous to the United Kingdom, and if not what evidence was there to show that these provided suitable habits for wildlife species that have been in significant decline over recent years?

Councillor Allen confirmed the wildflower scheme had been a great success for a number of years now and attracted a significant amount of positive attention. The Council worked with a social enterprise operated by Green Estates Limited and Sheffield University who researched the types of seeds to use and selected flowering species that provided nectar and seed which were a food source for many insects, and birds.

The seed was a combination of native varieties which made up the highest percentage of the mix and non-native which were all from the northern hemisphere.

**(7) Councillor Napper** what was RMBC's views on the recent debates in Parliament on Christianophobia?

The Leader confirmed he had not seen the recent debates in Parliament on Christianophobia. However, the Council's position on such matters was very clear in that it did not discriminate on the basis of faith. This prejudice had no place in our society and it would not be tolerated.

In a supplementary question Councillor Napper referred to the Christian beliefs, the views of the Vicar in Wickersley, and how some people were being pilloried for their views and being killed and persecuted in different countries and asked how the Government was going to legislate to fight this prejudice.



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The Leader explained there was a world a world of difference between defending people's right to have beliefs and so practice those debates. The views expressed by others like the Vicar of Wickersley were occasionally completely unacceptable and drifted into the kind of anti-Semitic language which had been criticised earlier.

It remained uncertain whether the Vicar realised that his views were in this context, but this Council would not promote tolerance within borough. The Vicar had the right to practice religion and to work with his congregation as he saw fit and this may continue to be the case.

**(8) Councillor Cowles** pointed out he had received complaints from Council residents who had reported the need for repairs. They were being told that the repair did not warrant action and that there was insufficient budget to pay for it. He asked did the Cabinet Member consider this to be an acceptable response from what was suggested to be a responsible landlord?

Councillor Beck reiterated that in general terms, Rotherham Council were responsible for all repairs to its housing stock that qualified under The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994. These eligible repairs included repairs to items both inside and outside of the property.

He confirmed that there were no budget pressures preventing eligible repairs being completed.

On occasions some repairs may not be undertaken immediately and were batched together with repairs of a similar nature and completed at a later date on a planned programme. Tenants should be made aware of this shortly after reporting the repair.

As part of the tenancy agreement tenants were responsible for some minor repairs such as changing a light bulb, replacing plugs, door handles, latches, lost keys etc.

The Cabinet Member asked that Councillor Cowles forward any specific cases and he would be willing to speak with officers regarding these.

In a supplementary question Councillor Cowles referred specifically to one resident who shared outbuildings with a Council tenant. She paid a considerable sum for the repair of the roof to prevent further ingress of water, but the building still floods as water was coming in from the other side from the Council property. The Council were so far refusing to pay to repair that side of the roof as it was too expensive and the service did not have the budget. He asked if the Cabinet Member if he would look into this if he passed through the details.

Councillor Beck confirmed that if Councillor Cowles could provide more details outside of the meeting he would investigate further.

**(9) Councillor Carter** asked with the summer coming to an end would the trial of extended opening hours at the crematoria run by Dignity be extended to ensure that residents could make use of extended burial times until sunset during the winter months?

Councillor Hoddinott confirmed the agreement with Dignity was that the trial on extended hours would take place between 1<sup>st</sup> April and 30<sup>th</sup> September. This was agreed by all parties to be a reasonable period for the trial, allowing the time during the winter months to evaluate the position and make any necessary changes to services and contractual arrangements from April, 2020. There were no plans to extend this into the winter months.

**(10) Councillor Napper** asked how many staff did RMBC employ in the tourist office to promote Rotherham?

Councillor Allen confirmed the Visitor Centre had staff working six days a week from Monday to Saturday which was equivalent to 1.2 Full Time Employees (FTE).

The Council's Visitor Centre was based in Rotherham Town Centre on High Street, where it shared a shop space with the Emporium.

In a supplementary question Councillor Napper referred to promotion of the borough and where he had only seen a couple of places in the Rotherham Advertiser and the free delivered magazine.

He would like to have seen a few billboards advertising something extra and not just in Rotherham town centre, but also in the outer areas as Rotherham had some lovely places to visit.

Councillor Allen pointed out it was Rotherham Show at the weekend and she expected to see as many people there as possible.

Councillor Napper was absolutely right Rotherham did have some beautiful places and activities and after every Rotherham Show there would be a debrief to see if there was any learning and these comments about billboards would be fed into that discussion.

**(11) Councillor Cowles** referred to the Advertiser of the 2<sup>nd</sup> August, 2019 and the public admission of silence on the CSE issue where Councillor Atkin said if he had not kept a secret, he and the Council would be a different place, but that's a long story. He asked given this matter was of considerable public interest and the public had been patient long enough, when could the unabridged version be shared?

The Leader explained the unabridged version had already been told. He was sure that everyone who was involved with the Council in 2005 wished in retrospect that they had done more to prevent the calamitous failings in the Council's Children's Services. He was sure this applied as much to Councillor Turner as it did to Councillor Atkin, who he knew felt personally very strongly about the importance of keeping Rotherham's children safe, and who had been a strong advocate for making the investments and improvements that have made over the last few years to achieve that.

**(12) Councillor Carter** last year asked about air pollution problems in Brinsworth which led to an offensive smell which residents felt was from nearby factories. This issue was still causing problems for Brinsworth residents. He, therefore, asked if the Council would commit to finding the source of this air pollution and taking measures to ensure that this blight on residents did not continue to occur?

Councillor Hoddinott explained following a report last year action was taken by colleagues in Sheffield Council relating to a company in Sheffield.

There were a number of current complaints from residents in Brinsworth relating to odours in particular tar/bitumen smells which were being investigated.

Although the odour was intermittent during the day, Officers have on one occasion witnessed the odours, but have so far been unable to identify the source. There were a number of industrial sites in the area and the Council, together with colleagues in Sheffield would work to identify the origins of the smells. If evidence was found that could be linked to a site then action would be taken to ensure that the problem was mitigated. Councillor Buckley had been actively involved with the service to resolve some of the issues.

**(13) Councillor Napper** referred to Woodlathes Balancing Pond and asked what was RMBC's obligation to the maintenance of the pond?

Councillor Allen explained the Council was not responsible for the maintenance of Woodlathes Balancing Pond. Persimmon (the housing developer for the site) was obligated to carry out the maintenance necessary for the management of the estates surface water drainage system.

In a supplementary question Councillor Napper explained that when he made enquiries he was advised that when Beezer Homes signed over to Persimmons they signed an agreement, along with Rotherham Council, that either one would look after the balancing pond. Having arranged a site visit, which Persimmon did not attend, the reeds had been removed, but the pond needed dredging. He asked if the Cabinet Member could look at the historic agreement.

Councillor Allen pointed out the maintenance agreement dated 14th December, 2014 confirmed the developer was responsible for the maintenance of the balancing pond. Following discussion with Persimmons the Council was satisfied that Persimmons' contractors were carrying out their maintenance responsibilities.

Should the maintenance not be carried out then Yorkshire Water would take any necessary action to ensure that surface water drainage system was operational.

The Council would only take back responsibility for the pond's maintenance in the event that Persimmons became insolvent and Yorkshire Water made this request to the Council.

**(14) Councillor Cowles** asked the Leader, when he was quick to point out and demand that others took action against their Members for inappropriate historical mistakes, when would he expect to take action against Member/s who failed in their safeguarding responsibilities of vulnerable children given the recent public admission that they knew of the CSE abuse?

The Leader explained the Labour Party did indeed take action before the last elections. A process independent of the borough was undertaken and the Members who were here today not only came through that process, but also won the support of the electors. The exact same information that Labour Councillors had then was given to a Member of the former UKIP Party here today which was an indication of what you thought.

Councillor Cowles talked about "historical mistakes". Unfortunately, when a Member of his group was highlighted in a national newspaper associating online with highly racist and islamophobic Facebook Group, that was not a "historical mistake". Nor was when his party chose to remove all its social media activity in response, presumably because it was not known what it said – that was not a "historical mistake".

In a supplementary comment Councillor Cowles confirmed he endorsed and supported the early action taken so there was no issue. The issue was that over the longer term, following some comments from Labour supporters, there was a demand that action be taken.

**(15) Councillor Carter** asked how much money had been secured from the Department for Transport's Road to Zero strategy fund for providing on-street electric vehicle charging points?

Councillor Lelliott confirmed the Council did not submit a funding application to the DfT for residential on street charge points, as part of the Road to Zero Strategy. On-street charge points were relatively new technology and advice from other Local Authorities in the region was that more information was required before they were rolled out.

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In fact, the Government attracted widespread criticism for the scheme which did not generally provide Councils with the level of funding that they needed, or for the infrastructure that most places have prioritised.

The Council had, however, secured a total of £705,000 by the DfT and DEFRA as a grant towards the 'Implementation of Early Measures' linked to the Clean Air Zone mandate, which had funded off-street charging points.

The Council was committed to growing the market in plug-in vehicles because of the contribution that they, and other low and ultra-low emission technologies, could make across the economic and environmental priorities; including climate change and air quality.

Therefore, to date, the Council had utilised the funding to service public car parks rather than on-street charging, and had provided EV charging at the following car parks:

- Wellgate Multi-Storey.
- Wath Library.
- Rawmarsh Service Centre.
- Drummond Street Car Park.
- Swinton Bridge Street Car Park.
- Scala Car Park.
- Aston Service Centre.
- Rother Valley Country Park.
- Thrybergh Country Park.

**(16) Councillor Napper** asked would the Cabinet Member for Waste, Roads and Community Safety look again at returning the top 50 metres of Sandhill Road back to a two way system?

Councillor Hoddinott was aware this question had been asked about a year ago and Councillor Napper had been out to do site visits with officers. If it was believed something had changed at the site then the Cabinet Member asked that she be advised, but the technical advice still from the officers was that it would not be safe to change that system.

In a supplementary question Councillor Napper confirmed he had met with two officers and it was reported that it did not confirm to Government standard, but the exit was far worse with people not being able to see when they came out on North Road. Just by opening up the last 50 metres this would alleviate some of the problems.

Councillor Hoddinott explained that by opening up that section it went against the advice. If it was proved otherwise she would be happy to take a look.

In terms of modern standards the road was a little different to when it was originally put in about forty years ago. This appeared to be more about parking and being able to see which might be a slightly different issue. However, officers were able to guide around safety, but there was probably more than could be done and this would be looked into.

**(17) Councillor M. Elliott** asked, since the opening in April of Waleswood Caravan and Camping Park, had the number of bookings met expectations?

Councillor Allen confirmed that since the site had now been open for five months, it was receiving excellent reviews. Councillor Elliott himself had visited and was duly impressed by the facilities that he found on site.

In the period so far from April to August the site had taken more than 4,000 bookings and it was commendable. However, there were a number of challenges for the site in that Gullivers were not opening until next spring combined with the blue/green algae at Rother Valley. It was, therefore, expected that more bookings would be received in a similar period next year.

The fact that perhaps there had not been as many bookings as expected meant there were plenty of opportunities for caravan owners like Councillor Elliott to book in for an Autumn break.

In a supplementary question Councillor Elliott confirmed he was, indeed, a longstanding member of the caravan and motor home club and he really wanted the site to be a success. He asked, given that several caravan owners had expressed concern saying the nightly pitch fees were too expensive, would the Cabinet Member give consideration to re-examining the charges currently levied.

Councillor Allen confirmed she would engage in a dialogue and very happy to have a benchmarking exercise around where the prices were. It was her understanding the site prices were very competitive.

## **250. URGENT ITEMS**

There were no urgent items for consideration.

**Councillor Chris Read – Leader of the Council**

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Mr Peter Thirlwall  
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By email [peter.thirlwall@talktalk.net](mailto:peter.thirlwall@talktalk.net)

27th September, 2019

Dear Mr Thirlwall

**Supplementary Question – Council 4<sup>th</sup> September**

I apologise for the delay in providing you with a written response to the supplementary question which you asked at council on 4<sup>th</sup> September.

As advised at the meeting the responsibility lies with individual councillors to update their Register of Interest. I would not be involved in setting any other member's Register of Interests. What action the Brexit Party Group may have taken to instruct their members to update their registers at any time would obviously not be known to me. Moreover I was not and am not aware of any Registers of Interest being changed without the authorisation of the individual concerned.

During the meeting I reiterated the need for councillors to ensure that membership of any and all political parties be detailed on their Register of Interest. If evidence became available to suggest that an individual Register of Interest had been tampered with without the knowledge of the councillor I would encourage them to bring this to my attention, or I suppose if they preferred to raise it formally with the Chief Executive, to allow the matter to be investigated and appropriate action taken. To date no member has brought such an issue to my attention, but if evidence of this comes to light then clearly that would be of concern.

If a councillor hadn't updated their Register of Interest within the mandatory twenty-eight days then this would be something that could be reported to the Standards and Ethics Committee, and any consequential action would be taken in line with Standards procedures.

As far as I can tell, the Brexit Party Group appropriately became the main opposition group when its members transferred over from UKIP. I therefore cannot make any request for Special Responsibility Allowance which Councillor Cowles is receiving as Leader of the opposition party to be recovered. I should add that whether members were registered as members of UKIP, the Brexit Party, another party or none, they could still as I understand it be members of the Brexit Party Group on the Council. Not all Groups seem to follow the equivalent of the rule that the Labour Group would have, that you would have to be a member of the Labour Party to be a member of the Labour Group.

I hope the above adequately answers the points you raised.

Yours sincerely,

A handwritten signature in black ink that reads "C. Read". The signature is written in a cursive style with a horizontal line underneath the name.

**Councillor Chris Read,  
Leader of Rotherham Council**



Councillor Saghir Alam – Cabinet Member Corporate  
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Councillor Alam

Councillor Cowles  
By email [allen.cowles@rotherham.gov.uk](mailto:allen.cowles@rotherham.gov.uk)

28<sup>th</sup> August, 2019

Dear Councillor Cowles

### **Council Question – 24<sup>th</sup> July, 2019**

You asked me a question about the Council's General Fund reserves at the Council meeting on 24th July 2019. Within my reply to your question, I highlighted that the Council's General Fund reserves, excluding the ring-fenced balances for Individual Schools and the Dedicated Schools Grant, were a total of £38.1m as at 31st March 2019 and that this was made up of a General Fund Minimum Balance of £16.8m and Earmarked Reserves of £21.3m.

You then asked me “will you provide for me the figures that show what the General Reserve figure was at the commencement of this Council 3 years ago, where we are now and where the bulk of the money has gone.”

I agreed to provide you with a response in writing and the information which you requested is set out below.

At 1st April 2016, the General Reserves on an equivalent basis, excluding Schools and DSG, were £68.8m. This included the £5.169m DCLG grant which the Council received during 2015/16 in support of the immediate costs of transformation following the Government intervention.

The change in General Reserves therefore between 1st April 2016 and 31st March 2019 is a total reduction of £30.7m (£68.8m reducing to £38.1m) which is made up as follows :

- Use of the DCLG grant £5.2m
- Use of other General Reserves £25.5m

The main uses of these reserves and funding over this time period have been :

- Investment in Children's Services £19.6m
- Other support to the Budget for early transformation and to

provide time to develop the significant level of budget savings required

£4.1m

- Use of PFI reserves to match PFI contract payment profiles £4.1m

£27.8m

The remaining £2.9m, to make up the total change of £30.7m, relates to a number of minor changes to reserves over that three year period, which in the main relate to the receipt and use of grant funding where the funding has been applied across more than one financial year.

The Council's Reserves Strategies and plans for the use of reserves to invest in Children's Services and to provide some other short-term support to the Budget during this period of time, were set out in successive Budget Reports and approved at Council.

It is also worth noting that the Financial Outturns for each of the three years used less reserves than originally planned for and approved at Council, as a result of the Council being able to make additional in-year savings.

Going forward, the Council's reserves strategies as set out in the Budget and Council Tax 2019/20 and Medium Term Financial Strategy, plan for a General Fund Minimum Balance of £21.1m as at 31st March 2021 and, taking into account the favourable Financial Outturn for 2018/19, Earmarked Reserves of £15.2m. This equates to total anticipated General Fund Reserves of £36.3m as at 31st March 2021.

Yours sincerely

*S. Alam*

Councillor Saghir Alam

**Cabinet Member for Corporate Services and Finance**

**THE CABINET**  
**Monday, 16th September, 2019**

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

Also in attendance Councillor Steele (Chair of the Overview and Scrutiny Management Board).

**35.           DECLARATIONS OF INTEREST**

There were no Declarations of Interest to report.

**36.           QUESTIONS FROM MEMBERS OF THE PUBLIC**

A member of the public referred to a response to a petition he received the day after the last Council meeting, yet a petition he submitted on the 15<sup>th</sup> May, 2019, some fifteen weeks ago still had no response. He, therefore, asked when would he get a response and also to the email he sent to the Leader fifty days ago on the 26th July, 2019.

The Leader confirmed he and the member of the public had exchanged a number of e-mails over a period of time, but could not specifically remember the e-mail being referred to.

If he had not replied it was either an error on his part or he had not realised a further reply was required. He, therefore, asked the member of the public to send through the email again.

In a supplementary question the member of the public explained the Leader had been asked who to contact for further updates about the commissioning process to avoid having to go to the Leader directly. The Leader had actually e-mailed the member of the public on the 10th July, 2019 explaining about developments, the secure port and commissioning of services so asked for a brief update on current progress.

The Leader could recall the email and confirmed the commissioning process was ongoing and whilst there had been some technical issues with part of the consultation, the intention was for the activity to take place.

Scrutiny had also been undertaking a piece of work over the summer looking at provision in other parts of the country for CSE survivors and support services which would also feed into the review. The Leader was keen to make quick progress on this to ensure the completion of the commissioning process and new services being put in place.

The Leader would endeavour to pick this matter up outside of this meeting and feedback to the member of the public with the name of contact for commissioning.

**37. MINUTES OF THE PREVIOUS MEETING**

**Resolved:-** That the minutes of the Cabinet meeting held on 8<sup>th</sup> July, 2019, be agreed as true and correct record of the proceedings.

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

**Resolved:-** That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the Agenda Items 15, 17, 18 and 19 on the grounds that the appendices involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

**39. ADULTS INDEPENDENT ADVOCACY SERVICES - COMMISSIONING AND PROCUREMENT APPROACH**

Consideration was given to the report which detailed the commissioning and procurement of independent advocacy services for adults, though this also included some provision for young people aged between 16 and 17 years old.

Independent Advocacy Services were necessary to meet all of the Council's statutory requirements under the Care Act 2014, the Mental Capacity Act 2005, the Mental Health Act 2007 and the Health and Social Care Act 2012. Statutory independent advocacy services specifically provided support to people:-

- Who may require assistance throughout the care and support assessment and through the review process.
- Who lacked mental capacity to make decision about themselves.
- Who were detained under the Mental Health Act.
- Who required support to complain about services provided by the NHS.

The Healthwatch contract was now coming to an end and needed to be retendered. Healthwatch did have an advocacy role so it would appear to be logical to include the NHS Complaints Advocacy (currently delivered by Healthwatch) in the scope of this advocacy procurement exercise, and to commence a tender process in line with Option Two outlined in the report, with the objective of mobilising new independent advocacy services from 1st April, 2020 for a contract period of 3 years + 1 + 1 arrangement.

Independent Advocacy Services that supported people to challenge benefit claims was outside the scope of this consideration, but should any issues relating to benefits come to the attention of the health and social care advocacy service, people were referred to the Citizen's Advice Bureau, Kiveton Park Advice Centre or if appropriate to the Department of Work and Pensions.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations, subject to G.Ps. being recommended to access training in respect of advocacy services through the protected training time and that, following twelve months of operation after the award of the contract, an update report detailing performance and outcomes be submitted to the Health Select Commission.

The Cabinet were happy to accept those recommendations.

**Resolved:-** (1) That the procurement of independent advocacy services be aligned to the service delivery model in preferred Option 2, described in this report.

(2) That the statutory NHS Complaints Advocacy Service be included in the scope of this procurement exercise.

(3) That the contract term be 3 years + 1 + 1.

#### **40. PROCUREMENT OF A LOCAL HEALTHWATCH SERVICE**

Consideration was given to the report which detailed how the current contract for the provision of a local Healthwatch Service was in place until 31<sup>st</sup> March, 2020. The Service was due to come to the end of the contractual term and the extension clause had been exercised, thus requiring a formal procurement exercise. The current contract included the provision of the NHS Complaints Advocacy Service (NHSCAS) in addition to the Healthwatch function, both were statutory functions. A revised service specification and financial terms and conditions were agreed with an expectation that the funding would be allocated on a 65/35 split between the Healthwatch and the NHSCAS functions. This was in response to the revised budget for the Healthwatch contract agreed by Council in February, 2019.

Under the Council's Contract Procedure Rules a procurement exercise was, therefore, required to secure both services from April, 2020. It was intended that the NHSCAS provision would be included in the procurement exercise that was proposed for the Council's Independent Advocacy Services in 2019 (for provision from April, 2020). The Healthwatch function would be commissioned as a standalone service.

This was in line with the majority of other Local Authority approaches and would ensure that the focus of the service covered all aspects of health and social care and captured peoples' needs, concerns and experiences.

**Resolved:-** That Option 2 at Section 3.2 in the report be approved for the commencement of a tender on the open market for the procurement of a local Healthwatch Service for the period of 3 years from 1<sup>st</sup> April, 2020 to 31<sup>st</sup> March, 2023 (with an option to extend for a further year).

**41. HOUSING RELATED SUPPORT - CHILDREN AND YOUNG PEOPLE PATHWAY TENDER CONCLUSION INFORMATION UPDATE**

Further to Minute No. 69 of the meeting of the Cabinet held on 17<sup>th</sup> December, 2018, consideration was given to the report which provided an update on the conclusion of the procurement process.

The report, therefore, provided:-

- A brief summary of Housing Related Support and the changing needs of young people which led to the decision to redesign and procure the Young People aged 16 – 25 Service.
- Gave an overview of the new Young People aged 16 – 25 Service specification.
- Information on the tendering process and award of contract.
- Briefly outlined the profile of the successful service provider.
- Gave an overview of the implementation of the new service model.
- An overview of the future approach to contract performance reporting and monitoring.

The previous provision of supported housing consisted of three supported housing buildings. The buildings were all within close proximity of each other, accommodating up to 39 young people at one given time. This presented challenges for the previous service due to the number of anti-social behaviour reports in relation to young people's behaviours. It also impacted on relationships with the local residents and the community.

The new service model addressed housing a large number of young people in the same proximity, as it was considered an environmental factor that contributed to the issues the previous Service experienced with anti-social behaviour.

The new service model comprised a suite of options of accommodation, support and community based elements. The accommodation based provisions were more dispersed across the borough, the maximum of twelve young people accommodated in the Core provision.

The procurement of the new service was advertised in the Official Journal of the European Union (OJEU) and on YORtender in February 2019 with a closing date at the end of March 2019.

The evaluation process was completed with Roundabout Ltd identified as the successful organisation.

Cabinet Members welcomed the update and particularly noted that the organisation was a living wage employer so obviously not only benefits to the young people, but also to employees.

**Resolved:-** That the update be noted for:-

- The co-production work and re-design of a new service specification was successfully completed to enable a tender process to take place
- A competitive tendering exercise ran from 20th February to 28th March 2019.
- Roundabout Ltd were identified as the successful organisation and awarded the contract.
- The contract commenced on the 1<sup>st</sup> August 2019. The initial term of the contract is for two years, with an option of a further extension for a year.
- The overall contract value for two years is £1,050,000 (£1,575,000 with the third year).

#### **42. SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) PHASE 2 - NEW EDUCATION PLACES**

Further to Minute 147 of the meeting of the Cabinet held on 20<sup>th</sup> May, 2019, consideration was given to the Local Authority's proposals to utilise capital funding to increase the sufficiency of school places for children with Special Education Needs and Disabilities (SEND) in Rotherham.

Consultation had now taken place with schools and settings in accordance with Department for Education guidance and a number of projects have been identified across Rotherham to meet the needs identified within the 2019 SEND Sufficiency Strategy given that there was increased demand for specialist placements for children and young people in Rotherham with special educational needs. Insufficient places within Rotherham increased pressure on the already challenged High Needs Budget and resulted in young people being placed outside Rotherham in high cost independent special schools.

The creation of additional in-borough provision would, therefore, lead to a longer term saving on high needs funding as in-borough placements cost on average £30k per annum less than out-of-authority placements.

There was a clear particular need in Rotherham to respond to increased demand for places within mainstream schools for children and young people with a range of autism spectrum conditions, moderate learning difficulties and social, emotional and mental health difficulties.

Initially the parameters of the consultation were fixed to the proposals to increase places by fifty across Rotherham. However, the response from schools and post-16 providers was both creative and enthusiastic, resulting in realistic proposals to increase education provision for children and young people with special educational needs and disabilities by an additional one hundred and eleven places within the funding parameters available.

This approach would, therefore, allow the Local Authority to advance forward planning in relation to the next stage (phase 3 SEND sufficiency) to meet further future need due to demographic growth and support activity to reduce the deficit of the High Needs Budget.

This report, therefore, sought approval to utilise £1.186 million of available capital funding to create as part of Phase 2 one hundred and eleven additional school places in Rotherham starting from 2020, for children with special education needs and disabilities.

It was pointed out, however, that Phase 2 was not about disrupting good placements it was about making sure that there were more placements in the Authority moving forward for people who were coming into the system.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations.

**Resolved:-** (1) That the increase in education provision by one hundred and eleven places to be achieved by September 2020 be approved.

(2) That the £1.186 million available capital funding be utilised to create the additional infrastructure required to deliver the projects as set out at paragraph 2.8.

**43. RECOMMENDED ADOPTION OF POLICIES - SUPPORT FOR ELECTED MEMBERS**

Consideration was given to the report which detailed the outcome following the establishment of a working group of Members to review carers, maternity and paternity arrangements for Councillors, with the aim encouraging the next generation of women to play their part in politics in Rotherham.

The report presented the recommendations of the working group, specifically in the form of a policy document, and sought a recommendation to Council to amend the Members' Allowances Scheme to take account of the adoption of the policy.



The Working Group reviewed examples of parental leave policies which set out Members' entitlement to maternity, paternity, shared parental and adoption leave and relevant leave. The logic underpinning the policy was that improved provision for new parents would contribute towards increasing the diversity of experience, age and background of local authority Councillors. It was also written with a view to retaining experienced Councillors, especially women, and making public office more accessible to individuals who might otherwise feel excluded from it.

The Group also felt that the provisions for supporting disabled Councillors should be clarified from a policy perspective, so as to move away from the case by case approach adopted presently. It was considered that a clear statement of support would encourage more disabled candidates to stand for election.

The Independent Remuneration Panel was, therefore, required to be consulted upon any proposed changes to the Members' Allowances Scheme and any recommendations then considered by Council.

The Working Group recommended that the Independent Remuneration Panel be asked to consider:-

- Separating the allowance paid for adult care and child care, given the relative high cost of child care in crèches and nurseries.
- Setting these allowances at an appropriate rate paid to providers to reflect the cost of provision.

**Resolved:-** (1) That Council be recommended to amend the Members' Allowances Scheme (Appendix 8 of the Constitution), subject to the receipt of the recommendations from the Independent Remuneration Panel

(2) That the policies to support Elected Members in respect of parental leave, disabilities, arrangements for carers and dignity in dying be approved and be adopted, subject to the Council determining to amend the Members' Allowances Scheme.

#### **44. JULY FINANCIAL MONITORING REPORT 2019/20**

Consideration was given to the report which set out the financial position as at the end of July, 2019 and was based on actual costs and income for the first four months of 2019/20 and forecast for the remainder of the financial year. Financial performance was a key element within the assessment of the Council's overall performance framework, and was essential to achievement of the objectives within the Council's Policy Agenda. To that end, this was the second in a series of monitoring reports for the new financial year which would continue to be brought forward to Cabinet on a regular basis.

As at July 2019, the Council had a forecast year-end overspend of £4.6m on the General Fund.

The Section 151 Officer confirmed this was not a position the Authority wished to find itself in with a projected overspend. Last year the Authority out-turned £3.2 million better so if it did need to call on reserves it was no worse off than expected to have been some months ago.

Officers were, however, working hard to see where the overspend could be pulled back before the end of the year. An update was to be made to the Medium Term Financial Strategy for consideration by Cabinet in November along with the September financial monitoring. The Government's high level spending round indications had now been received which would help with the update.

There needed to be focus in the medium term to ensure all the predicted savings were being delivered and all the initiatives and changes that have been implemented continue as planned.

In terms of the Capital Programme this was a reduced figure for the current year from what was brought to Cabinet in July. This was due to a number of schemes slipping into future years so the overall programme was broadly the same, but some schemes would slip into future years.

The CYPS programme had been reviewed in detail to assess how the available unallocated grant resources could be more effectively utilised to support programme objectives. Following this review, with a particular focus on the requirements of the Special Educational Needs (SEN) programme, £0.838m of corporate resource funding had been replaced with schools grant funding.

**Resolved:-** (1) That the current General Fund Revenue Budget forecast of £4.6m overspend be noted.

(2) That continuing action taken to mitigate the forecast overspend be noted.

(3) That the Capital Programme update be noted.

**45. COUNCIL PLAN MONITORING QUARTER 1 (APRIL TO JUNE 2019)**

Consideration was given to the Council Plan, which was the core document that underpinned the Council's overall vision. The Plan set out the headline priorities, outcomes and measures that would demonstrate delivery of the vision. The process for monitoring performance against the vision was set out in the Council's Performance Management Framework which explained to all Council staff how robust performance monitoring should be carried out.

The Council Plan for the period 2017-2020 was approved by Elected Members at the Council meeting on 12<sup>th</sup> July 2017. Refreshed performance measures covering the 2019-2020 financial year were approved by Cabinet on 20<sup>th</sup> May, 2019 and Council on 24<sup>th</sup> July, 2019.

To ensure that the delivery of actions and their impact was assessed, formal quarterly performance reports were presented in public at Cabinet meetings, with an opportunity for Scrutiny consideration if required. This report, therefore, was the first report in the 2019-2020 reporting cycle covering Quarter 1 (1<sup>st</sup> April, 2019 to 30<sup>th</sup> June, 2019).

The Performance Report and Performance Scorecard included in Appendix A provided an analysis of the Council's current performance against thirteen key delivery outcomes and sixty-nine measures and was based on the currently available data. It also included an overview of progress on key projects and activities which contributed to the delivery of the Council Plan.

At the end of Quarter 1 thirty-one measures had either met or had exceeded the target set in the Council Plan. This represented 55% of the total number of measures where data was available or where targets have been set. This was a significant improvement in performance compared to Quarter 1 2018-2019 where only 47% of measures hit their targets. The priority area with the highest proportion of targets met was Priority 4 (Extending opportunity, prosperity and planning for the future) where 75% of measures (where data was available or where targets have been set) were marked as on target.

The direction of travel was positive for twenty-nine (53%) of the measures calculated in this quarter. This was an improvement compared to the 51% figure for last quarter and 45% in Quarter 1 2018-2019.

Councillor Allen, Cabinet Member for Cleaner Greener Communities wished to highlight that on Priority 3 the indicators that related to Culture, Sport and Tourism were already exceeding 25% at this stage in the year, which was positive.

It was further pointed out that in terms of street cleansing and grounds maintenance complaints, the number was less than it was at the same comparable period last year, but service requests had increased substantially. Upon further investigation the concerns were about visual amenity and the significant weed growth this year. Weed removal involved an annual treatment, but due to the weather this weed growth was over and above what would be expected. As a result steps were being taken to provide suburban grubbing out of weeds over the next few weeks and months across the major highways and there would be an additional weed removal programme administered.

Councillor Watson, Deputy Leader, also commented, given the overspend on social care, that the numbers of children on a Child in Need plan were below target and continuing to decrease. This was as a result of the work being undertaken to bring those numbers down.

In addition, the number of children on Child Protection Plans had not come down, but was not at the level expected. In the medium to long term this should have a dramatic effect on finances.

Also worthy of note were the efficiencies in the SEND sufficiency model which were developing well.

**Resolved:-** (1) That the overall position and direction of travel in relation to the Council Plan be noted.

(2) That measures which were not achieving their targets and the actions required to improve performance, including future performance clinics, be discussed.

(3) That the performance reporting timetable for 2019-2020 be noted.

#### 46. **REVIEW OF POLLING PLACES 2019 - FINAL PROPOSALS**

Further to Minute No. 75 of the meeting of the Cabinet held on 17<sup>th</sup> December, 2018 and Minute No. 133 of Council held on 23<sup>rd</sup> January, 2019, consideration was given to the report following the proposed review of polling places. This involved a public consultation on the current polling scheme and the Returning Officer's proposals which started on 4<sup>th</sup> February, 2019 and ended on 26<sup>th</sup> April, 2019.

This report, therefore, considered the responses and final proposals for determination, for recommendation to Council.

The new Ward boundaries had been taken into account alongside disability access and the impact on schools.

Cabinet Members welcomed the report from a Children's Services point of view in that the number of schools used as polling stations had been reduced.

**Resolved:-** (1) That Council be recommended to note the submissions made in respect of the review of polling districts and polling places for the borough of Rotherham.

(2) That the adoption of the polling district boundaries as outlined in Appendix 1 and the maps found in Appendix 4 be given be approved.

(3) That the final proposals for polling places as detailed in Appendix 1 to this report be approved.

(4) That the Electoral Registration Officer be requested to make the necessary amendments to the polling districts to take effect from publication of the revised register on 1st December, 2019.

(5) That the power to designate polling places in accordance with Section 18B of the Representation of the People Act 1983 continue 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.

**47. NEW APPLICATIONS FOR BUSINESS RATES DISCRETIONARY RELIEF FOR ROTHERHAM RISE AND SEA CADETS CORE**

Consideration was given to the report which detailed two applications for the award of a business rate discretionary relief. This was in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12<sup>th</sup> December, 2016).

In terms of the first organisation it was considered to be in line with the Council's qualifying criteria as set out in its Policy as it provided a range of support services for women and children who have been affected by violence and abuse. The organisation had recently moved to a new address so were, therefore, requesting relief on the new premises.

The second application was also considered to be in line with the Council's qualifying criteria as set out in its Policy. The group was run by adult volunteers and made no payment to individuals.

**Resolved:-** That 20% top up discretionary relief be awarded to Rotherham Rise, for the period 15<sup>th</sup> January, 2019 to 31<sup>st</sup> March, 2020 and to the Sea Cadets Core, for the period 1<sup>st</sup> April, 2019 to 31<sup>st</sup> March, 2020.

**48. NEW APPLICATION FOR BUSINESS RATES HARDSHIP RELIEF**

Consideration was given to the report which detailed an application for business rates hardship relief. This was in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12<sup>th</sup> December, 2016).

The application for the award of hardship relief did not meet the Council's qualifying criteria as set out in its Policy as there was nothing to suggest that awarding relief would lead to the long term sustainability of the business.

The need did not appear to be short term and the level of assistance which would be given in terms of an award to cover the business rates would have limited impact on the overall financial position of the company.

**Resolved:-** That the application for hardship relief be refused.

**49. LOCAL PLAN: CONSULTATION ON DRAFT SUPPLEMENTARY PLANNING DOCUMENTS**

Consideration was given to the report which sought approval to undertake public consultation on the following draft Supplementary Planning Documents:-

- Householder Design Guide.
- Development in the Green Belt.
- Equal and Healthy Communities.
- Town Centre Uses and Developments.
- Air Quality and Emissions.
- Shop Front Design Guide.

Rotherham's Local Plan provides the framework for determining planning applications. Supplementary Planning Documents provided additional detail and guidance to support policies in the Local Plan. Once adopted, they were a material consideration which could be taken into account when determining planning applications. Supplementary Planning Documents helped improve planning applications, which in turn could speed up the planning process and produce better outcomes for the community.

Cabinet Members welcomed the importance of taking on board national and local principles and standards which did change over time, especially so with preventative work on obesity and the proposals to restrict the number of fast-food takeaways near schools.

**Resolved:-** (1) That public consultation on the draft Supplementary Planning Documents at Appendices 2 to 7 be approved.

(2) That following consultation a further report be brought to Cabinet regarding adoption of the Supplementary Planning Documents.

**50. COMMUNITY ENERGY SWITCHING SCHEME**

Further to Minute No. 79 of the meeting of the Cabinet held on 17<sup>th</sup> December, 2018, approval was given to identify a partner through the OJEU procurement process to develop a community energy switching scheme. This report recommended the acceptance of a tender to set up a Community Energy Switching Scheme, available to all Rotherham residents, which could save an average 3 bed semi-detached household up to £300 per year.

This not-for-profit company seek to support some of the most vulnerable residents and be of benefit to the whole borough.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations, but requested that an update report on the performance and outcomes from the Community Energy Switching Scheme be submitted to the Improving Places Select Commission after twelve months from the commencement of the scheme.

**Resolved:-** That the development of a community energy switching scheme in partnership with bidder B be approved.

**51. DISPOSAL OF SURPLUS PROPERTIES: KIVETON YOUTH AND COMMUNITY CENTRE, THE FORMER KEEPERS COTTAGE AT ULLEY RESERVOIR; AND THE SITE OF THE FORMER COPELAND LODGE AND ADJACENT LAND**

Consideration was given to a report which sought approval to dispose of the Council's freehold interest in the following surplus properties:-

- a) Former Kiveton Youth and Community Centre.
- b) Former Keepers Cottage Ulley Reservoir.
- c) The site of the former Copeland Lodge and adjacent land.

All the properties have all been declared surplus to requirements by service users and following internal consultation no alternative uses have been identified. The properties were also vacant which posed a risk to the Council not only in terms of securing or maintaining properties, but with the continuing holding costs.

**Resolved:-** (1) That the disposal of the Council's freehold interest in the following properties be approved:-

- a) Former Kiveton Youth and Community Centre.
- b) Former Keepers Cottage Ulley Reservoir.
- c) Former Copeland Lodge and adjacent land.

(2) That the Assistant Director, Planning Regeneration and Transport be approved to dispose of the assets by implementing the most appropriate method of disposal to help expedite the process, whilst ensuring that best consideration is achieved under Section 123 – Local Government Act 1972.

(3) That the Assistant Director of Planning Regeneration and Transport negotiate the terms of disposals.

(4) That the Assistant Director of Legal Services negotiate and complete the necessary legal documentation.

**52. PROPOSED COMPULSORY PURCHASE ORDER (CPO) ACQUISITION  
- UNIT 1 RIVERSIDE PRECINCT**

Consideration was given to the report which sought approval to invoke a Compulsory Purchase Order (CPO) for the acquisition of the remaining leasehold interest at Unit 1, Riverside Precinct, Corporation Street, Rotherham, should a purchase by agreement not be forthcoming.

Acquisition of the remaining leasehold interest would facilitate the development of Forge Island. Every effort was being made to work with the leaseholder and alternative premises had been offered. Negotiations were ongoing and it was hoped these would be successful to enable the Council to move forward. However, should negotiations not be successful, the Compulsory Purchase Order process would be taken forward.

The process was not seeking to put a leaseholder out of business, but was more about suitable relocation and the appropriate level of recompense in a similar vein to other leaseholders in that same area.

**Resolved:-** (1) That a Compulsory Purchase Order (CPO) be invoked for the acquisition of the remaining leasehold interest at Unit 1 Riverside Precinct Rotherham.

(2) That the Assistant Director Planning Regeneration and Transport, in conjunction with The Assistant Director of Legal Services, prepare and publish the Order.

(3) That the Assistant Director Planning Regeneration and Transport continue to negotiate a purchase by agreement with the leaseholder whilst the Compulsory Purchase order process is ongoing.

**53. STRATEGIC MANAGEMENT AND MAINTENANCE OF ROTHERHAM'S  
HIGHWAYS**

Consideration was given to the report which detailed how the Council had a statutory duty to maintain its highways through Section 41 of the Highways Act 1980 and described how Rotherham's highways were strategically managed and maintained in accordance with the Highway Asset Management Policy, Strategy and Highway Asset Management Plan (HAMP).

The report reviewed the current strategy for the Management and Maintenance of Rotherham's Highway and the impact the increased investment 'Roads 2020' had had on the highway network and described further the current performance both in terms of the condition of Rotherham's highways, and in terms of the delivery of highways maintenance services.



The Council pledged to invest in roads locally and had prioritised residential roads, the streets that people lived on, as part of this programme. This prioritisation of resurfacing roads rather than fixing potholes was a long term investment to improve the condition across the borough.

Of particular note was the work undertaken by in-house Council staff and whilst it was acknowledged there was some disruption during the works, numerous compliments about the work were received.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations.

**Resolved:-** (1) That the strategic approach to the Management and Maintenance of Rotherham's Highways be endorsed.

(2) That the impact of the additional Rotherham Metropolitan Borough Council capital investment to improve the local (unclassified) road network be noted.

#### **54. AMENDMENT TO THE GENERAL ENFORCEMENT POLICY**

Consideration was given to the report which detailed the outcome of the public consultation carried out to seek views on an amendment to the Council's General Enforcement Policy to include surveillance of social media in particular in relation to fly-tippers and rogue traders, as an investigatory tool.

A significant majority of respondents agreed that the Council should use such tools to tackle fly-tippers and rogue traders who utilised social media to commit offences. This would only involve officers within the policy the ability to check social media to actively monitor the activities of a particular trade. Anything of a more covert position would require a more detailed legal process.

The Council's General Enforcement Policy had, therefore, been amended to reflect this outcome.

**Resolved:-** That the outcome of the consultation be noted and the revised General Enforcement Policy be adopted.

#### **55. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

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

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

**Resolved:-** That the next meeting of the Cabinet take place on Monday, 21<sup>st</sup> October, 2019 at 10.00 a.m.

**Committee Name and Date of Committee Meeting**

Council – 30 October 2019

**Report Title**

Recommendation from Cabinet – Adoption of Policies to support Elected Members

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

Yes

**Strategic Director Approving Submission of the Report**

Shokat Lal, Assistant Chief Executive

**Report Author**

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

**Ward(s) Affected**

Borough-wide

**Summary**

At its meeting on 16 September 2019, the Cabinet considered a report in respect of the adoption of policies to support Elected Members and encourage others to stand for elected office in Rotherham.

The original report providing detail to the proposals is appended in order to provide Members with sufficient knowledge to agree the proposals.

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

**Recommendations**

1. That the policies to support Elected Members in respect of parental leave, disabilities, arrangements for carers and dignity in dying be approved and be adopted.
2. That the Members' Allowances Scheme (Appendix 8 of the Constitution) be amended in accordance with the recommendations of the Independent Remuneration Panel, with authority delegated to the Monitoring Officer to confirm the wording of the revisions to the Scheme.

**List of Appendices Included**

- Appendix A Report to Cabinet – 16 September 2019 – Adoption of Policies to Support Elected Members
- Appendix 1 Proposed Policies and Policy Statements

**Background Papers**

Minute 198 'Motion – Gender Equality' – Council Meeting – 23 May 2018

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Cabinet – 16 September 2019

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No

**Committee Name and Date of Committee Meeting**

Cabinet – 16 September 2019

**Report Title**

Recommended Adoption of Policies – Support for Elected Members

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

No

**Strategic Director Approving Submission of the Report**

Shokat Lal, Assistant Chief Executive

**Report Author(s)**

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

**Ward(s) Affected**

Borough-Wide

**Report Summary**

In May 2018, the Council resolved to establish a working group of Members to review carers, maternity and paternity arrangements for councillors, with the aim encouraging the next generation of women to play their part in politics in Rotherham. This report presents the recommendations of the working group, specifically in the form of a policy document, and seeks a recommendation to the Council to amend the Members' Allowances Scheme to take account of the adoption of the policy.

**Recommendations**

1. That the Council be recommended to amend the Members' Allowances Scheme (Appendix 8 of the Constitution), subject to the receipt of the recommendations from the Independent Remuneration Panel
2. That the policies to support Elected Members in respect of parental leave, disabilities, arrangements for carers and dignity in dying be approved and be adopted, subject to the Council determining to amend the Members' Allowances Scheme.

**List of Appendices Included**

Appendix 1 Proposed Policies and Policy Statements

**Background Papers**

Minute 198 'Motion – Gender Equality' – Council Meeting – 23 May 2018

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
Council – 30 October 2019

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No

## **Recommended Adoption of Policies – Support for Elected Members**

### **1. Background**

- 1.1 At the Council meeting held on 23 May 2018, consideration was given to a motion marking the centenary of the Representation of the People Act 1918, which had extended the right to vote to women. In marking this anniversary, the Council resolved:-
- To erect a plaque to Councillor Mary MacLagen, the first woman Councillor in Rotherham and suffragette, in a prominent position in Rotherham Town Hall, to be paid for by public subscription.
  - To seek a blue plaque for Councillor Mary MacLagen's home on Broom Lane, Rotherham.
  - To encourage the next generation of women to play their part in politics in Rotherham, by reviewing carers, maternity and paternity arrangements for Councillors through a member's working group.
  - To provide a political voice for women in Rotherham by ensuring that issues that matter to them such as equal pay, bullying and harassment, sexual violence, and domestic abuse are heard within the Council.
- 1.2 A working group was established with representation from the two political groups of the Council. Councillor Hoddinott chaired the group and Councillors Pitchley and Short were also members. Councillors Carter and Jepson were invited to join the working group to ensure that non-aligned Members were able to contribute to the discussion.
- 1.3 The group met in November 2018 to review the existing provisions of the Member Allowances Scheme, practices and provisions at other local authorities and recommended approaches from policy organisations, such as the Local Government Association and the Fawcett Society.

### **2. Key Issues**

- 2.1 The mandate from the resolution of the Council in May 2018 was clear that Members wanted to establish a clear policy to support councillors in respect of parental leave arrangements. Analysis of policies adopted by other authorities and the model policy published by the Local Government Association's Labour Group indicated that there were broader considerations beyond parental leave in encouraging women to play their part in political and civic life in Rotherham. The working group considered that there was merit in establishing principles of support for disabled councillors and expanding the meaning of parental leave beyond that originally envisaged in the motion to Council in May 2018.
- 2.2 There is currently no legal right to parental leave of any kind for people in elected public office and Rotherham MBC does not have a policy to support parental leave for councillors. The Members' Allowances Scheme does not currently allow for any parental leave provision. A parental leave policy will make it easier for prospective parents and Rotherham MBC alike to plan for when councillors take parental leave.

### **3. Options considered and recommended proposal**

- 3.1 The Working Group reviewed examples of parental leave policies from Camden LBC and Stockport MBC, which had led the way in the adoption of provisions for parental leave. The policy from Stockport MBC went further in clarifying the support the authority provides for disabled councillors. Members of the Working Group also reviewed a model parental leave policy, which had been developed by the Local Government Association's (LGA) Labour Group, which set out Members' entitlement to maternity, paternity, shared parental and adoption leave and relevant leave. The logic underpinning the policy was that improved provision for new parents would contribute towards increasing the diversity of experience, age and background of local authority councillors. It was also written with a view to retaining experienced councillors, especially women, and making public office more accessible to individuals who might otherwise feel excluded from it. The model policy, along with the provisions from Stockport MBC, has provided the basis for the Working Group's recommendations.
- 3.2 The Working Group considered that the model policy from the LGA Labour Group provided a sufficient outline of the provisions that Rotherham MBC should adopt in respect of parental leave. A policy would improve provision for new parents and would assist in broadening the appeal of elected office to those who may have been put off by the absence of clear support for parents. Furthermore, the Working Group recommended that the Independent Remuneration Panel be asked to consider:-
- Separating the allowance paid for adult care and child care, given the relative high cost of child care in creches and nurseries
  - Setting these allowances at an appropriate rate paid to providers to reflect the cost of provision
- 3.3 Members felt that the provisions for supporting disabled councillors should be clarified from a policy perspective, so as to move away from the case by case approach adopted presently. It was considered that a clear statement of support would encourage more disabled candidates to stand for election.
- 3.4 The Working Group recommended that the authority adopt the provisions of the TUC 'Dying to Work' Charter for Members, which had previously been adopted for employees of the Council. The policy statement in respect of this provision would ensure that terminally ill Members with up to one year to live would be supported by the Council following their diagnosis to undertake duties in a way that enables them to maintain dignity, provides a valuable distraction and can be therapeutic in itself.

### **4. Consultation on proposal**

- 4.1 The Independent Remuneration Panel is required to be consulted upon any proposed changes to the Members Allowances Scheme. Following the approval of the proposals in this report, the recommendations of the Independent Remuneration Panel will be submitted for consideration as part of a separate report to the Council meeting on 30 October 2019.



**5. Timetable and Accountability for Implementing this Decision**

- 5.1 The adoption of policy is an executive function and, in the case of the proposals details within this report, a matter for the Cabinet to determine. The adoption of changes to the Members' Allowances Scheme is a matter for the Council to determine, having regard to the recommendation of the Independent Remuneration Panel.
- 5.2 Whilst the Cabinet may adopt the policy, provisions which relate to allowances or expenses for councillors may not take effect until the Council has determined any amendment to the Members' Allowances Scheme. To this end, the provisions in the proposed policy concerning parental leave may not take effect until after the Council meeting on 30 October 2019.
- 5.3 The Head of Democratic Services will be accountable for the implementation of the policy provisions, and subsequent amendment to the Members' Allowances Scheme.

**6. Financial and Procurement Advice and Implications**

- 6.1 There are financial implications relating to the adoption of this policy. The policy entitles members taking parental leave to receive both their basic allowance and any Special Responsibility Allowance (SRA) in full whilst on their period of leave. It makes provision that should a replacement Member be appointed to cover a period of leave that the replacement Member be entitled to receive an SRA on a pro-rata basis for the period of the temporary appointment. It is not considered that the cost implications of introducing the Policy would be significant and can be contained within existing resources. This would need to be reviewed once the Policy was operating and take up gauged.
- 6.2 There are no procurement implications associated with this report.

**7. Legal Advice and Implications**

- 7.1 There is currently no legal right to parental leave of any kind for people in elected public office. Elected Members taking maternity, shared parental or adoption leave retain their legal duty under Section 85 of the Local Government Act 1972 to attend a meeting of Full Council within a consecutive six month period unless the reason for the failure to attend is due to some reason approved by Full Council before the expiration of that six month period.

**8. Human Resources Advice and Implications**

- 8.1 There will be some additional implications in administering the Members' Allowances Scheme and assisting with the administration of casework on behalf of Members who have taken parental leave. This additional work will be administered by existing resources within Democratic Services.

**9. Implications for Children and Young People and Vulnerable Adults**

9.1 The recommendations of this report and the proposed policy have been developed to provide support for councillors who are parents or who are carers for vulnerable adults. It is expected that the adoption of the proposed policy provisions will be have a positive impact for these groups.

**10. Equalities and Human Rights Advice and Implications**

10.1 The proposals arising from the Working Group are positive in addressing issues which have been identified as barriers to prevent people from standing for elected office with the authority or have been cited as reasons for leaving elected office.

10.2 There are no human rights implications arising from this report.

**11. Implications for Partners**

11.1 There are no implications for partners arising from the proposals in this report.

**12. Risks and Mitigation**

12.1. There are no risks arising from the proposals in this report.

**13. Accountable Officers**

James McLaughlin, Head of Democratic Services

Approvals obtained on behalf of Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	02/09/19

*Report Author:* James McLaughlin, Head of Democratic Services  
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This report is published on the Council's [website](#).

## **PROPOSED POLICIES**

### ***1. PARENTAL LEAVE POLICY***

#### **Introduction**

This Policy sets out support available to Councillors to enable them to carry out their duties on behalf of residents regardless of caring responsibilities. It includes Councillors' entitlement to maternity, paternity, shared parental, adoption and fostering leave and relevant allowances.

Improved provision will help the council better reflect the people it represents, contributing towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

The objective of the policy is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption or fostering, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

#### **1. Leave Periods**

- 1.1 Members giving birth are entitled to up to 12 months maternity leave from the due date, within the legal requirement of attending at least one council meeting in six months.
- 1.2 In addition, where the birth is premature, the Member is entitled to take one week extra for every week the baby is in hospital.
- 1.3 Members shall be entitled to take a minimum of 4 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).
- 1.4 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.
- 1.5 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 52 weeks.
- 1.6 A Member who fosters a child or adopts a child through an approved adoption agency shall be entitled to take up to 12 months adoption leave from the date of placement.

- 1.7 Any Member who takes maternity, shared parental, adoption or fostering leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period. That is at the discretion of the Council and cannot be guaranteed.
- 1.8 Any Member intending to take maternity, paternity, shared parental, adoption or fostering leave will be responsible for ensuring that they keep the Head of Democratic Services informed, both in terms of the point at which the leave starts and the point at which they return.
- 1.9 Any Member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep the Head of Democratic Services and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.
- 1.10 Democratic Services and/or Ward Councillors will assist to provide cover for a period of leave.

## **2. Basic Allowance**

- 2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity, adoption or fostering leave.

## **3. Special Responsibility Allowances**

- 3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental, adoption or fostering leave. Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.
- 3.2 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental, adoption or fostering leave shall continue for a period of 12 months or until the date when the Member taking leave is up for election (whichever is soonest)
- 3.3 Should a Member appointed to replace the member on maternity, paternity, shared parental, adoption or fostering leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.
- 3.4 Unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began. This provision does not apply if the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave.

**4. Resigning from Office and Elections**

- 4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental, adoption or fostering leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.
- 4.2 If an election is held during the Member's maternity, paternity, shared parental, adoption or fostering leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

**2. *DYING TO WORK POLICY***

**1. Adoption of the TUC Dying to Work Charter**

- 1.1 In conjunction with the Council's provisions for employees under the charter, it is recognised that a Member with a terminal illness will require support and understanding and not additional and avoidable stress and worry. Terminally ill Members with up to one year to live will be supported by the Council following their diagnosis to undertake their duties in a way that enables them to maintain dignity, provides a valuable distraction and can be therapeutic in itself.
- 1.2 Members will be provided with peace of mind and the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss.

**3. SUPPORT FOR DISABLED COUNCILLORS POLICY STATEMENT**

- 1.1 The Equality Act 2010 requires political parties not to discriminate either directly or indirectly against disabled Members or candidates.
- 1.2 The Equality Act 2010 also applies to councils, and also sets out a Public Sector Equality Duty for the council with regards to protected characteristics.
- 1.3 Therefore both the Council and political parties have legal requirements to ensure that they make reasonable adjustments for Councillors.
- 1.4 The Council is committed to supporting disabled people who are elected to the Council and will assist with any disability-related costs of being a councillor, for example, paying for sign language interpreters, or paying extra travel or accommodation costs. The Head of Democratic Services will work with disabled Members to overcome any barriers encountered as a result of their disability and will make sure they may be fully involved.
- 1.5 The Chief Executive will have the discretion to make payments for expenses incurred by disabled Members on travel within the borough in addition to the amount included in the Basic Allowance, where the Member would have a particular difficulty in carrying out an approved duty.
- 1.6 The Head of Democratic Services will arrange for specialist ICT equipment to be provided where this is deemed necessary and ICT training tailored to suit individual needs will be provided.
- 1.7 The Council will make “reasonable adjustments” to accommodate the needs of disabled councillors, covering both physical and hidden disabilities, who would otherwise be placed at a disadvantage compared to non-disabled councillors and wherever possible will ensure that the needs of disabled councillors are accommodated, for example, meeting rooms and group offices will be fully accessible so that disabled councillors are able to play a full and effective part in the running of the Council.
- 1.8 The Head of Democratic Services will also ensure that a ‘Personal Evacuation Plan’ is in place for any councillor who may have mobility difficulties in such circumstances.

#### **4. COUNCILLORS WHO ARE CARERS POLICY STATEMENT**

It is important to support Councillors who are carers to carry out their full range of duties. The Council is committed to ensuring that no councillor should be prevented from or disadvantaged in providing care support to any dependent.

There are already allowances and allocated budgets associated with caring costs. The Independent Remuneration Panel will recommend the rates at which these should be paid.

- 1.1 The Calendar of Council and Committee Meetings shall usually be approved no later than the end of February in the preceding municipal year in order to allow carers to plan. There will be a range of meeting times within the Calendar of Council and Committee Meeting to accommodate the differing needs of councillors and to allow as many as possible to participate in duties both in the Town Hall and their ward.
- 1.2 Subject to the recommendation of the Independent Remuneration Panel in respect of Members' Allowances, the Council will pay the equivalent of the living wage as an allowance per hour for the cost of adult care.
- 1.3 Subject to the recommendation of the Independent Remuneration Panel in respect of Members' Allowances, the Council will make payment up to the equivalent of the living wage as an allowance per hour on claims for the care of children.
- 1.4 Notwithstanding the above provisions in respect of carers, the Council will welcome the attendance of dependents at meetings of committees and the practice of infant feeding during meetings will be supported. Facilities are available at meeting venues to support infant feeding.
  - 1.4.1 A Councillor should not be disadvantaged for looking after dependents. There is a presumption that where a parent needs to look after a child (e.g. breastfeeding), that child would be allowed to attend with the parent.
  - 1.4.2 That parent is responsible for the behaviour of the child in the meeting, and where relevant, ensuring the child fulfils the requirements of confidentiality.
  - 1.4.3. Where the above is not adhered to, or there are difficulties then it will be at the Chair's discretion to resolve.



**Committee Name and Date of Committee Meeting**

Council – 30 October 2019

**Report Title**

Recommendation from Cabinet – Review of Polling Places 2019 - Final Proposals

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

Yes

**Strategic Director Approving Submission of the Report**

Judith Badger, Strategic Director of Finance and Customer Service

**Report Author**

Claire Wardle, Electoral Services Manager  
01709 823521 or [claire.wardle@rotherham.gov.uk](mailto:claire.wardle@rotherham.gov.uk)

**Ward(s) Affected**

Borough-wide

**Summary**

At its meeting on 16 September 2019, the Cabinet considered a report in respect of final proposals arising from the Review of Polling Places.

The original report providing detail to the proposals is appended in order to provide Members with sufficient knowledge to agree the proposals.

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

**Recommendations**

1. That the submissions made in respect of the review of polling districts and polling places for the borough of Rotherham be noted.
2. That approval be given to the of the adoption of the polling district boundaries.
3. That approval be given to the Approval of the final proposals for polling places.
4. That the Electoral Registration Officer make the necessary amendments to the polling districts to take effect from publication of the revised register on 1 December 2019.

5. That the power to designate polling places in accordance with section 18B of the Representation of the People Act 1983 be delegated to the Chief Executive, with 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.

### **List of Appendices Included**

Appendix A – Report to Cabinet – 16 September 2019 – Review of Polling Places 2019 – Final Proposals

### **Background Papers**

Report to Council – 16 September 2019 - [Appendix 1 -Polling place scheme and final proposals](#)

Report to Cabinet – 16 September 2019 - [Appendix 2 - Summary of responses to the consultation and RO comments](#)

Report to Cabinet – 16 September 2019 - [Appendix 3 - Maps of current wards](#)

Report to Cabinet – 16 September 2019 – [Appendix 4 - Maps of new wards from 2020](#)

Report to Cabinet – 16 September 2019 - [Appendix 5 – Equality Initial Screening Assessment](#)

[Review of Polling Districts and Polling Places Consultation Paper – 4 February 2019](#)  
[Electoral Commission guidance on the review of polling districts and polling places](#)

### **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Cabinet – 16 September 2019

### **Council Approval Required**

Yes

### **Exempt from the Press and Public**

No

**Committee Name and Date of Committee Meeting**

Cabinet - 16 September 2019

**Report Title**

Review of Polling Places 2019 - Final Proposals

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

Yes

**Strategic Director Approving Submission of the Report**

Judith Badger, Strategic Director of Finance and Customer Services

**Report Author(s)**

Claire Wardle, Electoral Services Manager  
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**Ward(s) Affected**

Borough-Wide

**Report Summary**

Following approval from Council on 23 January 2019 to undertake a review of polling places, a public consultation on the current polling scheme and the Returning Officer's proposals started on 4 February 2019 and ended on 26 April 2019. This report considers the responses and final proposals for determination, in order for Cabinet to make final recommendations to Council.

**Recommendations**

That Cabinet recommend to Council that:-

1. The submissions made in respect of the review of polling districts and polling places for the borough of Rotherham be noted.
2. Approval of the adoption of the polling district boundaries as outlined in Appendix 1 and the maps found in Appendix 4 be given.
3. Approval of the final proposals for polling places as detailed in Appendix 1 to this report is given.
4. The Electoral Registration Officer be requested to make the necessary amendments to the polling districts to take effect from publication of the revised register on 1 December 2019.

5. 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.

### **List of Appendices Included**

- Appendix 1 - Polling place scheme and final proposals
- Appendix 2 - Summary of responses to the consultation and RO comments
- Appendix 3 - Maps of current wards
- Appendix 4 - Maps of new wards from 2020
- Appendix 5 – Equality Initial Screening Assessment

### **Background Papers**

[Review of Polling Districts and Polling Places Consultation Paper – 4 February 2019](#)

[Electoral Commission guidance on the review of polling districts and polling places](#)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
Council - 30 October 2019

**Council Approval Required**  
Yes

**Exempt from the Press and Public**  
No

## Review of Polling Places 2019 - Final Proposals

### 1. Background

- 1.1 Under the Representation of the People Act, 1983, the Council has a duty to divide its area into polling districts and to designate a polling place for each district.
- 1.2 The following definitions may be helpful when reading the report and Appendices:-
- “Polling districts” are geographical electoral areas into which wards and constituencies may be sub-divided.
  - “Polling places” are the buildings or areas designated by the Council where electors in a polling district go to vote in person.
  - “Polling stations” are the number of issuing desks in the building that is the designated polling place.
- 1.3 The Electoral Administration Act, 2006, as amended, introduced a duty on all Local Authorities in Great Britain to review their polling districts and polling places at least once every five years. The Council undertook the last full compulsory review between November 2013 and December 2014. An interim review was undertaken in 2017, and a full review is required to be completed by December 2019.
- 1.4 The Local Government Boundary Commission carried out an electoral review of the Rotherham Borough between September 2016 and October 2017. The Rotherham (Electoral Changes) Order was made on 8<sup>th</sup> March, 2018, and the new ward boundaries will take effect at the elections in May 2020. The 2019 polling district and polling places review takes into account the impact of and the requirements for the new wards.
- 1.5 On 23<sup>rd</sup> January, 2019, the Council authorised the initiation of a statutory review of the Borough’s polling districts and polling places. The review formally commenced on 4<sup>th</sup> February 2019 to finish in November 2019, thereby allowing the changes in polling districts to be reflected in the electoral register when it is published on 1<sup>st</sup> December, 2019.
- 1.6 Ward boundaries cannot be changed as part of this review. Ward and constituency boundaries are the responsibility of the Local Government and Parliamentary Boundary Commissions respectively. This review can only consider the internal boundaries of polling districts within wards.
- 1.7 The review is governed by the provisions of Schedule 1A to the Representation of the people Act 1983, and follows the Electoral Commission guidance on the review of polling districts and places.

## 2. Key Issues

- 2.1 Preparatory work was undertaken by Council officers to inform the Returning Officer's initial proposals which were set out in the Consultation Paper.
- 2.2 Some current polling places will not be available in future, and the impact of the new ward boundaries needs to be taken account of. The main issues considered in the development of the initial proposals as set out in the Consultation Paper were:
- (a) To try and identify new polling places in areas where the existing provision is unsuitable or unavailable
  - (b) To consider, as appropriate, feedback received following recent elections by members of the public, elected members and other stakeholders
  - (c) To ensure, as far as practicable, that any new polling places are accessible to people with disabilities
  - (d) To ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances
  - (e) To try and minimise disruption to schools. It should be noted that the Returning Officer has the right in law to select schools as polling venues which places a duty on schools, as publically funded buildings, to provide the facilities required if asked to do so. However, where alternative premises exist which can provide better facilities for voting, they may be considered.
  - (f) To minimise any inconvenience to voters where polling district boundaries are altered as a result of the ward boundary changes
- 2.3 Further details of the existing polling scheme and the initial proposals for changes were outlined in the Consultation Paper.
- 2.4 The Council gave public notice of the formal commencement of the review on 4<sup>th</sup> February, 2019, and publicised the review via the council website and press release. Any registered elector was entitled to make representations.
- 2.5 The deadline for responses to the consultation was 26 April 2019. Thirty responses were received, and a summary of the responses and the Returning Officer's comments is provided in Appendix 2.
- 2.6 As a result of the representations made during the consultation, the final proposals contain three changes in addition to the initial proposals.
- (a) Kilnhurst & Swinton East - It is proposed that the boundary between KIA and KIC polling districts be amended, to allocate more voters to Kilnhurst Resource Centre.

(b) Rawmarsh East - It is proposed that Rawmarsh Customer Service Centre is designated the polling place for RAEA polling district, instead of Rawmarsh St Joseph's School.

(c) Wath - It is proposed that Newhill Chapel is designated the polling place for WHD polling district, instead of Wath Central Primary School.

2.7 Further details of the final proposals and the polling place scheme are set out in Appendix 1.

### **3. Options considered and recommended proposal**

3.1 Option 1 - Do not change any polling places before the 2020 elections. This option has been discounted because the Council has a statutory duty to carry out a review, the current scheme does not align with the new ward boundaries, and some existing polling places will not be available in 2020.

3.2 Option 2 - Consider the results of the review and determine changes in time for the Borough, Parish, and Police and Crime Commissioner elections in May 2020.

3.3 It is recommended that the proposals for changes to polling places as outlined in this report and Appendix 1 be approved.

### **4. Consultation on proposal**

4.1 The consultation period for the review ran from 4 February 2019 to 26 April 2019. Public notice of the review was given, and information about the review made available on the council's website and in Customer Service Centres, Libraries and Neighbourhood Hubs. Any registered elector was entitled to make representations.

4.2 As well as being available on request, details of the review and the consultation paper were also sent to ward members, MPs, Parish Councils, and local groups including those representing disabled people. Electoral Services staff also attended a meeting with Rotherham Older People's Forum, to discuss the review and to address any concerns about the accessibility of polling places.

### **5. Timetable and Accountability for Implementing this Decision**

5.1 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 provides for decisions on polling districts and places to be made by the Council.

5.2 Once the Council has made its determination, the conclusion of the review will be published including the reasons for the council's decisions in respect of the designation of polling districts and places. Reasons have been given in Appendix 1.

5.3 Certain persons, on specific grounds, can appeal to the Electoral Commission about the alteration of polling places.

- 5.4 The Assistant Director for Legal Services will be responsible for implementing the decisions. Electoral Services will take the measures to bring the changes into effect, making the necessary amendments to the polling districts to take effect from publication of the revised register on 1 December 2019, and putting the new polling place scheme in place for the elections in 2020.

## 6. **Financial and Procurement Advice and Implications**

- 6.1 The financial and resource implications arising from this report will be met from within existing budgets.
- 6.2 There are no financial implications for the General Fund. The council only funds the cost of Borough elections, with all other elections being funded from grant monies from Central Government.

## 7. **Legal Advice and Implications**

- 7.1 The Council has a legal duty to review polling districts and polling places, as described in this report. Reviews of polling districts and places must take place in accordance with section 18C and Schedule A1 to the Representation of the People Act, 1983 [as amended].

## 8. **Human Resources Advice and Implications**

- 8.1 None arising directly from this report.

## 9. **Implications for Children and Young People and Vulnerable Adults**

- 9.1 The voting age is 18 or over. The recommendations link to the council priority - every adult secure, responsible and empowered.

## 10. **Equalities and Human Rights Advice and Implications**

- 10.1 The Council must seek to ensure that, so far as is reasonable and practical, every polling place for which it is responsible is accessible to people who are disabled. Provision of reasonably convenient polling arrangements is an essential element of the free and fair elections required under Protocol 1, Article 3 of the Human Rights Act. An Initial Equality Screening has been completed.

## 11. **Implications for Partners**

- 11.1 None arising directly from this report.

## 12. **Risks and Mitigation**

- 12.1. Polling places are essential for the conduct of elections. Inadequate provision of polling places and polling stations could have a detrimental effect on voter turnout and could be the source of an election challenge.



**13. Accountable Officers**

Bal Nahal, Head of Legal Services

Claire Wardle, Electoral Services Manager

Approvals obtained on behalf of Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	19/08/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	31/07/19
Head of Legal Services (Monitoring Officer)	Bal Nahal	31/07/19

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

**Committee Name and Date of Committee Meeting**

Council – 30 October 2019

**Report Title**

Recommendation from Cabinet – Council Delivery of New Homes on Rotherham Town Centre Sites

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

Yes

**Strategic Director Approving Submission of the Report**

Anne Marie Lubanski, Strategic Director of Adult Care, Housing and Public Health

**Report Author**

David Mason, Housing Development Coordinator  
01709 255083 or david.mason@rotherham.gov.uk

**Ward(s) Affected**

Boston Castle

**Summary**

At its meeting on 21 October 2019, the Cabinet considered a report in respect of the delivery of new homes by the Council on Rotherham Town Centre sites.

The original report providing detail to the proposals is appended in order to provide Members with sufficient knowledge to agree the proposals.

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

**Recommendations**

1. That approval be given to include the scheme in the Capital Programme

**List of Appendices Included**

Appendix A Report to Cabinet – 21 October 2019 – Council Delivery of New Homes in Rotherham Town Centre

Appendix 1 Sheffield Road Car Park

Appendix 2 Millfold House

Appendix 3 Former Henley's Garage

Appendix 4 Equality Analysis

Appendix 5 Financial Implications (Exempt)

**Background Papers**

Report to Cabinet: "Residential development of Millfold House, Sheffield Road car park and the former Henley's Garage site" (16 October 2017)

Report to Cabinet: "Rotherham Town Centre Masterplan" (11 September 2017)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Cabinet – 21 October 2019

**Council Approval Required**

Yes

**Exempt from the Press and Public**

*An exemption is sought for Appendix 5 under Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972, as this report contains sensitive commercial information regarding the Council's contracts.*

*It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information because disclosing Council budgets could adversely affect its commercial negotiations with contractors*

Public Report with Exempt Appendices  
Cabinet

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**Committee Name and Date of Committee Meeting**

Cabinet – 21 October 2019

**Report Title**

Council delivery of new homes on Rotherham town centre sites

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

Yes

**Strategic Director Approving Submission of the Report**

Anne Marie Lubanski, Strategic Director of Adult Care, Housing and Public Health

**Report Author(s)**

David Mason, Housing Development Coordinator  
01709 255083 or david.mason@rotherham.gov.uk

**Ward(s) Affected**

Boston Castle

**Report Summary**

Following a report in October 2017, the Cabinet resolved that:

1. The Council act as the strategic housing enabler to develop Sheffield Road Car Park, Millfold House and the former Henley's Garage on Wellgate into residential accommodation.
2. The Assistant Director of Planning, Regeneration and Transport be authorised to purchase additional land to improve the scale of development potential.
3. Expenditure on these acquisitions be funded from resources allocated to the town centre regeneration programme.
4. Officers be authorised to explore further possible acquisitions, to maximise the regenerative impact of these residential schemes.
5. A further report be submitted setting out a detailed financial business case and development proposals.

A preferred contractor partner has been identified and proposals for 171 high quality, mixed tenure homes developed for these gateway sites, which are key to the transformation of the town centre. This report sets out the full details of the scheme, explains how it will help deliver the Town Centre Masterplan and seeks authority for the necessary budget and delegated authorities to officers.

## Recommendations

1. That the contents of the report, including the delivery arrangements for and funding implications of the proposed scheme, be noted.
2. That Council be recommended to approve the scheme for inclusion in the Capital Programme.
3. That the use of Housing Revenue Account capital resources to undertake preparatory works be approved, as outlined in Section 12.6, up to the amount set out in exempt Appendix 5.
4. That the Assistant Director of Housing Services be authorised to undertake any necessary procurement and award tenders for contracts associated with the delivery of the proposed scheme within the amounts set out in exempt Appendix 5.
5. That authority be delegated to the Assistant Director of Housing Services, in consultation with the Cabinet Member for Housing, to make amendments to site boundaries and to the numbers, types and tenures of homes in the scheme.
6. That the land shown red-lined at Appendices 1, 2 and 3 be appropriated from the General Fund to the Housing Revenue Account (HRA).

## List of Appendices Included

- Appendix 1 Sheffield Road Car Park
- Appendix 2 Millfold House
- Appendix 3 Former Henley's Garage
- Appendix 4 Equality Analysis
- Appendix 5 Financial Implications (Exempt)

## Background Papers

Report to Cabinet: "Residential development of Millfold House, Sheffield Road car park and the former Henley's Garage site" (16 October 2017)

Report to Cabinet: "Rotherham Town Centre Masterplan" (11 September 2017)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
Overview and Scrutiny Management Board – 16 October 2019

## Council Approval Required

Yes

## Exempt from the Press and Public

*An exemption is sought for Appendix 5 under Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972, as this report contains sensitive commercial information regarding the Council's contracts.*

*It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information because disclosing Council budgets could adversely affect its commercial negotiations with contractors.*

## **Council delivery of new homes on Rotherham town centre sites**

### **1. Background**

- 1.1 In October 2017, Cabinet resolved that ‘the Council will act as the strategic housing enabler to develop Sheffield Road car park, Millfold House and the former Henley’s garage on Wellgate into residential accommodation’. The approach recommended within the report was that the Council should act as developer on these sites and the report set out the intention to procure a contractor partner for the development.
- 1.2 Procurement of a contractor partner, Willmott Dixon Construction Limited (WDCL), took place in 2018 and the Council has worked with them to develop planning applications for each of the sites, which have now been submitted. The scheme comprises 171 homes in total, including 123 affordable homes. Extensive work has been undertaken since October 2017 working through key issues including funding routes, additional site acquisition, viability, grant funding availability and mix of housetypes and tenures.

### **2. Key Issues**

#### ***Delivering the Town Centre Masterplan and Housing Growth***

- 2.1 The forthcoming transformation of Forge Island, as the culmination of a cluster of major regeneration initiatives, will help create many of the conditions for an attractive town centre residential offer as envisaged in the Masterplan, which identifies capacity for up to 2,000 new homes. The market is still relatively underdeveloped and some of the potential sites are challenging but, by bringing forward this scheme within a similar timeframe to Forge Island, the Council will demonstrate the demand for town centre living in Rotherham and provide the confidence for the private sector to invest.
- 2.2 These sites sit at strategically important, highly visible gateway locations in the town centre, adjacent to other sites with the potential to accommodate further housing development. The delivery of 171 new homes across these sites will provide a significant contribution towards Rotherham’s housing growth requirement, with further multiplier effects as anticipated above. It is also important to maximise the scheme’s contribution towards meeting the borough’s affordable housing need, with many other sites within the town centre presenting viability challenges. The provision of 72% affordable housing on this scheme will have a significant impact.

#### ***Funding the scheme***

- 2.3 The nature of these ex-industrial, brownfield sites poses significant viability challenges relating to site remediation. There are also individual site specific issues including flood risk mitigation, a steeply sloping site with new and existing retaining structures, and a listed building (Wellgate Old Hall). Combined with modest sale and rental values in an emerging residential market, these sites are not currently viable propositions for private investment, hence the need for the Council to deliver directly. Public subsidy will be required to address the broad viability issues and to support the delivery of the 123 affordable homes proposed.

- 2.4 Given the high proportion of affordable housing and the availability of funding reserves, the Housing Revenue Account (HRA) is proposed as the most appropriate route for direct Council delivery of the scheme.
- 2.5 Homes England's Shared Ownership and Affordable Homes Programme (SOAHP), which is already providing grant support to deliver more than 200 new Council homes across the borough, has been identified as an appropriate grant funding route for the 123 affordable homes, combining with HRA resources. The Council would submit a bid for SOAHP funding in November 2019. The principle of investment has been provisionally agreed with Homes England, subject to further grant funding being secured from Sheffield City Region (see 2.6). The funding would be predicated on achieving starts on site by March 2020 and completions by March 2022.
- 2.6 To assist with the broader viability challenges of the scheme, including the 48 market sale properties, the Council has sought support from the Sheffield City Region (SCR) Housing Fund. The Council's Strategic Business Case was approved by the SCR in July and approval of the Full Business Case is now awaited, for a grant of £3.917m.
- 2.7 These funding streams have been factored into detailed financial modelling, identifying a tenure mix that supports the delivery of the scheme. That modelling has been further informed by extensive, intrusive site investigations and the development of the schemes into full planning applications. This has allowed a detailed pricing exercise by WDCL, providing greater cost certainty.

### ***Tenure mix and allocations***

- 2.8 The emerging private town centre residential market is dominated by private rented apartments. In order to broaden the base of the market and encourage the development of a new, sustainable, balanced community, it is necessary to introduce new house types and tenures into the mix, demonstrating demand and stimulating more variety in private developments.
- 2.9 The scheme provides apartments for Council rent aimed at singles, sharers and couples who are attracted by the concept of town centre living but are priced out of the private rented sector. It provides both houses and apartments for shared ownership suiting first time buyers, key workers and older downsizers amongst others. There are also a variety of market sale options including traditional family homes with gardens, modern back-to-back houses and flexible, dual aspect, riverside houses, suitable for families or sharers, with terraces overlooking the River Don.
- 2.10 Older people within the borough use and support the town centre in disproportionately high numbers and many would benefit from the convenience of living there. However, perceived lifestyle clashes with younger residents can discourage some older people from taking up the opportunity. A block of 23 Council rented apartments on the former Henley's Garage site is proposed to be age-banded for applicants over 50 years of age. This block, as with all of the apartments within the scheme, is completely level access.



- 2.11 In a mixed tenure scheme the short term capital receipts generated by sales are balanced against the longer term revenue streams offered by rented properties. The impact of the proposed mix has been modelled in detail.

***Design and sustainability***

- 2.12 WDCL subcontracted the design elements to Bond Bryan Architects to develop the designs to planning application stage. Each site features a landmark apartment building on its main frontage, making a clear statement to town centre visitors about Rotherham's regeneration and setting the tone for future developments. The architectural approach and use of materials complements existing historic buildings that neighbour the sites, and the quality of the materials used will stand the test of time.
- 2.13 Car parking provision has been kept to a level appropriate to these sustainable urban locations, and to further encourage sustainable transport it is intended to provide many of the new homes with electric vehicle charging points. This follows the installation of 30 public charging points in the town centre and continues the Council's commitment towards improving air quality, in line with the introduction of the Clean Air Zone.

***Housing management and maintenance***

- 2.14 The scheme includes various communal amenities including bin stores, cycle stores, landscaped areas and a private access road at Millfold House. There are also structural elements such as retaining walls requiring ongoing maintenance. It is proposed that the Housing Service maintains the scheme as a whole, levying service charges and estate fees across all tenures as appropriate, with the level of any fees and charges to be agreed by the Assistant Director of Housing.
- 2.15 The specification for the Council rented homes aligns with the standard Council specification, ensuring consistency across the stock.
- 2.16 Each house on the scheme will have allocated car parking. In order to ration the limited car parking provision for the apartments, spaces will be allocated to some apartments and not others. Rent levels will reflect the difference.

***Procurement process***

- 2.17 WDCL was procured using the YORbuild framework and ranked first among five bidders in a competition evaluated 50:50 on price and quality, which took into account feedback from soft market testing in 2017. Planning and Finance Officers were involved in the evaluation, along with consultants Gleeds who have since been appointed, via the Scape framework, as the Council's Employer's Agent for the scheme.
- 2.18 As part of a collaborative, two-stage process, the Council entered into a Professional Services Contract with WDCL to work up designs to planning application stage. WDCL have now submitted a final price and, subject to further detailed scrutiny of that price, a contract would be awarded to physically construct the scheme.

***Scheme proposals***

- 2.19 Detailed unit breakdowns are shown at Appendices 1-3. The proposed tenure mix across the three sites is as follows:

<b>Site</b>	<b>Council Rent</b>	<b>Shared Ownership</b>	<b>Market Sale</b>	<b>Total</b>
Sheffield Rd	44	0	34	78
Millfold House	25	0	14	39
Henley's	23	31	0	54
<b>Total</b>	<b>92</b>	<b>31</b>	<b>48</b>	<b>171</b>

***Appropriation***

- 2.20 The three sites sit as assets within the Council's General Fund, as will 74-76 Wellgate (Eastwood Domestics), which is being acquired in order to extend the Millfold House site in line with the recommendations of the October 2017 report. In order for the scheme to be delivered via the HRA, the sites shown red-lined at Appendices 1-3 would be appropriated to the HRA from the General Fund.

**3. Options considered and recommended proposal**

- 3.1 Having developed the scheme to planning application stage, the following options are open to the Council:

***Discontinue the project (Not Recommended)***

- 3.2 The Council could discontinue the project and invest HRA capital resources in other schemes. Without the public subsidy that the Council is securing, the sites remain an unviable proposition for private residential development, meaning that the sites would achieve nil value if sold with residential planning permission but without further site remediation. Therefore, discontinuing the project would result in significant abortive costs incurred in developing the scheme to this stage, with no prospect of an alternative housing scheme coming forward to regenerate the sites and deliver the masterplan.

***100% Market Sale/Rent (Not Recommended)***

- 3.3 A scheme without any affordable housing would, theoretically, maximise the total sale and rental income to the Council. However, it would not be eligible for the grant funding that the Council is seeking to attract and would, therefore, be unviable. It would also fail to meet the Council's own requirement for 25% affordable housing.

***100% Affordable Housing (Not Recommended)***

- 3.4 A scheme comprising only Affordable Housing would miss the opportunity to diversify the emerging town centre residential market by introducing new family homes for sale. It would also be unlikely to attract the necessary additional subsidy from Homes England, which promotes mixed tenure as a key element of sustainable communities.

**Mixed tenure scheme (Recommended)**

- 3.5 The proposed scheme outlined at 2.19 and in Appendices 1-3 strikes a sustainable balance between the provision of affordable housing, the financial deliverability of the scheme, meeting the objectives of funders and building a new town centre community.

**4. Consultation on proposal**

- 4.1 The ambition to build homes in the town centre has been informed by extensive feedback from residents and stakeholders gathered over the past four years, including Housing Strategy consultation, Local Plan and Town Centre Masterplan consultation, the current and former Strategic Housing Market Assessments for the borough, and the Council's Annual Housing Developer Summit.
- 4.2 In developing the specific proposals for these sites, consultation has taken place with local Ward Members, staff from a wide range of Council services, the Rotherham Strategic Housing Forum, Homes England, and Rotherham's Town Centre and Housing and Regeneration Board, as well as local town centre businesses. Further community consultation was carried out as part of the Planning process. The following scheme specific consultation has also taken place:

<b>Group</b>	<b>Date</b>
Rotherham Voice – Town Centre Retailers	05/02/19
Boston Castle Ward Network – Local Residents	09/04/19
Boston Castle Ward Members' Briefing	14/05/19
Town Centre Regeneration – Members' Seminar	02/10/19

**5. Timetable and Accountability for Implementing this Decision**

- 5.1 Building on the experience of delivering previous schemes in the Council's housing growth programme, design work on this scheme began in January 2019 with planning applications submitted in June/July 2019. This, working in partnership with Gleeds and WDCL, has allowed the development of a fully costed business case to inform this Cabinet report. Now that this work has been completed, the Council has a robust understanding of the scheme costs and delivery timescales.

<b>Milestone</b>	<b>Date</b>	<b>Accountable Officer</b>
Council approval: inclusion in Capital Programme	30 Oct 2019	Tom Bell
Submission of bid to Homes England	Nov 2019	Tom Bell
Enabling Contract Award	Nov 2019	Tom Bell
Confirmation of SCR funding	18 Nov 2019	Tom Bell
Confirmation of Homes England funding	Dec 2019	Tom Bell
Main Contract Award	Dec 2019	Tom Bell
Start on site	Feb 2020	Tom Bell
First completions	Q1 2021/22	Tom Bell
Final SOAHP-funded completions	Q3 2021/22	Tom Bell
Final completions	Q4 2021/22	Tom Bell

- 5.2 A dedicated Housing Development Coordinator for the scheme, based within the Strategic Housing and Development Service, is responsible for co-ordinating day-to-day client arrangements with the Contractor. The Coordinator will be supported by the Employer's Agent, Gleeds, who will also provide the Clerk of Works function.
- 5.3 Progress will be overseen by the Town Centre and Housing and Regeneration Programme Delivery Board, which is attended by the Cabinet Member for Housing and the Cabinet Member for Jobs and Local Economy, as well as the Chief Executive and Strategic Directors for Regeneration and Environment, and for Adult Care, Housing and Public Health.

## **6. Financial and Procurement Advice and Implications**

- 6.1 The project already has an approved budget within the Council's capital programme of £592k, for the delivery of site investigations, detailed design and pricing. This report proposes to earmark the required funding for the physical delivery of the 171 new homes, and its inclusion within the Council's capital programme. The exempt Appendix 5 provides the details of the planned expenditure profile, and funding required.
- 6.2 The 171 new homes delivered will be mixed tenure, comprising 92 Council rent, 31 shared ownership and 48 market sale. Each tenure type will have a varying impact on the Council's finances. The Council rent (Affordable Rent) properties will be absorbed into the HRA, increasing the annual rental income stream for the Council by £469k per annum. The shared ownership properties will both generate an initial capital receipt to the Council for the part of the property sold, and then increase the Council's annual rental income stream by £81k per annum for the element rented to the new home owner. The market sales properties will generate a capital receipt to the Council.

### ***Capital receipts***

- 6.3 The capital receipts from market sale properties and shared ownership properties must be ring-fenced to the HRA. This step is crucial as the HRA will be subsidising the delivery of the scheme whilst the new properties are constructed, up until the point that these properties can be sold. Once sold, effectively the receipts will be used to repay the HRA contribution. If this step is not taken the Council risks the HRA cross-subsidising the delivery of sale properties. If the receipts generated are greater than the HRA contribution then the additional receipt will be used to repay the General Fund contribution.

### ***External funding***

- 6.4 A bid has been submitted to the SCR Housing Fund for a grant contribution towards the scheme, specifically to cover the site and design abnormalities. An initial Strategic Business Case has been approved by the SCR; the Full Business Case is subject to agreement by the Combined Authority on 18 November. The use of this grant would be structured to prevent any cross-subsidy of the market sale or shared ownership properties by the HRA. By using the grant to bridge the gap between expected costs per unit and expected sale prices we could ensure that the HRA contribution can be recovered by the sales receipts.
- 6.5 A separate bid will be submitted to Homes England's Shared Ownership and Affordable Homes Programme, for a contribution towards the delivery of 123 affordable homes. The principle of Homes England investment has been provisionally agreed subject to confirmation of the SCR funding outlined above. The Council will be required to sign up to a planned delivery programme, with key timescales and deliverables in order to draw down the grant.

### ***Appropriation of Land Values***

- 6.6 To enable the delivery of the project the Council will need to appropriate the three sites (Sheffield Road, Millfold House, and Henley's Garage) held within the General Fund to the HRA. The Council is also acquiring 74-76 Wellgate (Eastwood Domestics) to extend the Millfold Road site. The Council is forgoing potential capital receipts totalling £835k from the sale of the sites for their current uses.

### ***Financial assessment***

- 6.7 A financial assessment of the viability of the project has been carried out to assess the impact on the Council's finances. This is detailed in Appendix 5. The Council will not recoup its initial investment through sales receipts or future rental streams. However, the Council has defined the project as a strategic priority and the financial implications of the decision should be considered alongside the strategic importance of delivering the scheme and the impact of not doing so.
- 6.8 The delivery of the scheme will see a number of broader financial benefits as the delivery of new build housing will contribute to the Council's financial planning assumptions for Council Tax income as set out within the Medium Term Financial Strategy. In addition it is expected that this scheme will generate further financial benefits to the Council and the economy of Rotherham as the new housing helps to regenerate the town centre offer, and link in with the wider Town Centre Masterplan.

### ***Revenue implications***

- 6.9 Once all properties are fully completed and occupied there will be a net revenue benefit to the Council of £147k per annum. In addition, the HRA revenue budgets will receive 4% of sales receipts from the sale properties to support the administration costs of managing the process.

### ***Financial risks***

6.10 Aside from the funding risks above, there are a number of other financial risks facing this scheme. These risks predominantly focus around increases in project costs; they will be mitigated through regular monitoring and through the provision of an appropriate contingency budget, as disclosed in the exempt Appendix 5. These are:

- Unforeseen cost increases during the construction period, which could have an impact on the General Fund if greater resources are required for sale units.
- Increased costs due to the Council needing to or wanting to change the scope of housing delivery on the sites.
- Uncertainty in the UK economy due to EU Exit and unknown cost implications of the outcome of EU exit. For example, delays to, or difficulties in, accessing materials from or through the EU.
- Right to Buy purchases on the new Council rent properties
- Delays on site could lead to Homes England delivery targets being missed and grant withheld. However, officers will work closely with Homes England to manage this risk and reassure them of the deliverability.

6.11 Whilst the projected sales values could increase from the market sales properties, making the scheme more financially viable, there are possible risks facing these sales. Firstly, the Council is trying to create a market for housing in the town centre: there is a risk that the market sale homes don't generate the required interest. In addition there is a risk that uncertainty in the UK economy now, and post EU exit makes gaining a mortgage more difficult. For example, if the bank rate rises, and with it the cost of mortgages, this could reduce the Council's target market and the level of capital receipts generated. Mitigation of this risk is set out in Section 12.

### ***Procurement implications***

6.12 All procurement activity outlined in this report has been conducted in compliance with the Public Contracts Regulations 2015 and the Council's own Financial and Procurement Procedure Rules. Any new procurement activity that may be undertaken as a result of decisions made must also be carried out in compliance with the Rules and Regulations.

6.13 As detailed below (mitigation of risks) set out in Section 12, it is proposed that the Council enters into a Pre-Construction Services Agreement. Entering into this type of arrangement is appropriate in these circumstances to ensure successful progression of the project but does not commit the Council to enter into the final build contract, if agreement on the final proposal cannot be reached.

## **7. Legal Advice and Implications**

- 7.1 The SCR Housing Fund grant will be used partly to support the development of the market sale homes and in certain circumstances this could be considered State Aid. Accordingly, the Council has sought external legal advice on this point. The advice is that there is a very strong argument that, because the Council is not engaged in an economic activity but is carrying out its public purpose in accordance with its strategic development plan (namely the development of mixed housing), it will not be receiving state aid in connection with any grant funding it may receive. Furthermore, there are also strong arguments that the Council is providing a local service and that its activities do not affect trade between Member States and therefore any grant funding will not involve state aid to the Council.
- 7.2 The Assistant Director of Legal Services will sign and execute sale agreements for market sale and shared ownership properties.

## **8. Human Resources Advice and Implications**

- 8.1 Sheffield Road car park currently provides Council staff permit parking for 99 FTE equivalents. Parking Services will make alternative arrangements in other Council car parks for those staff affected. Options include, for example: Unity Place, The Statutes and Wellgate multi-storey (subject to capacity). Some of the alternatives, being closer to the town centre, are £10/month more expensive. There are no further HR implications.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 The scheme will introduce new build family housing into the town centre, encouraging families into the area. Financial contributions are anticipated via the Planning process to ensure sufficient capacity in local schools.
- 9.2 Homes for older people are included in the scheme, supporting people to live independently in their own homes.

## **10. Equalities and Human Rights Advice and Implications**

- 10.1 The equality analysis for the scheme is attached at Appendix 4. This sets out the key equalities issues and mitigations identified.

## **11. Implications for Partners**

- 11.1 The development of these sites will bring significant positive changes and benefits for other local businesses and partners, improving the viability of some town centre businesses and services. Regular updates have and will continue to be provided to the Rotherham Strategic Housing Forum, which brings together a range of organisations including Voluntary Action Rotherham, the CCG and local housing associations. The relevant links will also be made with the wider Rotherham Together Partnership structure.
- 11.2 The Strategic Housing and Development Service is working in close partnership with both Homes England and the Sheffield City Region, as set out in 12.5.

## **12. Risks and Mitigation**

12.1. Four main risks require ongoing mitigation as follows:

### **Costs**

- 12.2 Mitigation to date: in contrast to previous schemes in the Council's housing growth programme, an 'invest-to-save' approach has been taken to this project, with substantial work already undertaken, at risk, to provide greater cost certainty at this decision point. The Council is in receipt of a tendered price for the construction of the scheme based on detailed planning applications, themselves based on comprehensive, intrusive site investigations. This upfront investment has allowed robust cost projections, informed by expert analysis from Gleeds to identify and correct any omissions during the pricing process.
- 12.3 Ongoing mitigation: notwithstanding the work already undertaken to provide cost certainty, there are some costs that cannot be known until work begins on site, and there will always be unanticipated costs. Risk allocation between Council and contractor is key to mitigating these and the price submitted by WDCL is based on agreed risk sharing principles. This follows detailed, collaborative risk workshops with the contractor in which the Council has been advised by Gleeds, in order to ensure an appropriate balance of risk, where the contractor is incentivised to pursue cost-effective solutions to any issues that arise.

### **External funding**

- 12.4 Mitigation to date: securing external funding for this project is essential to delivering the scheme and the Council has ensured that the strategic importance of this scheme, both to the borough and the wider City Region, is recognised by both Homes England and the SCR. Officers are working closely with both organisations regarding the broader regeneration agenda across the town centre and that is reflected in Homes England's confirmation of their intent to invest in the 123 affordable homes proposed. Further funding has been sought from the SCR Housing Fund and it is clear from the approval of our initial Strategic Business Case that this scheme represents an outstanding strategic fit with the objectives of the fund.
- 12.5 Ongoing mitigation: assuming the required funding is secured, grant conditions will need to be met in order to draw it down. By delaying submission of bids until planning applications had been submitted and a Cabinet decision was imminent, the Council has placed itself in an excellent position to meet all delivery milestones. Regular contract review meetings are in place with Homes England, as well as regular joint town centre meetings with them and the SCR. These provide an opportunity to monitor progress, raise any issues and resolve them flexibly and collaboratively.



- 12.6 Proposed mitigation: the grant funding from Homes England would be predicated on achieving starts on site by March 2020 and completions by March 2022. A decision on the SCR funding is expected on 18 November. However, if there were a delay in confirmation of the SCR grant funding, or in agreeing the funding agreement with the SCR, that could put the Homes England grant, and therefore the scheme, at risk. To mitigate this, it is proposed to enter into a pre-contract agreement with the contractor to undertake post-Planning design, demolition, site clearance and preparation, which would allow the project to continue pending SCR funding being secured. Whilst this investment would be made by the Council at risk, it would increase the value of the sites and place the Council in a stronger position to secure alternative grant funding, in the event that SCR funding was not approved.

### ***Demand***

- 12.7 Within the tenure mix there are 48 houses for market sale, which is not a new build product that currently exists in the town centre. At the former Henley's Garage site, 31 shared ownership homes are proposed, which for that tenure is a scale of development not seen in Rotherham until the Council's recent development at Bellows Road, a scheme just coming to completion. In both cases the Council is attempting to create a market, which carries inherent risks.
- 12.8 Mitigation to date: part of the mitigation strategy is to provide a variety of housetypes (apartments, traditional houses, back-to-backs, waterside homes) to maximise the breadth of potential sales demand. A range of market intelligence has been used to refine the mix, including the Strategic Housing Market Assessment and a specific report on shared ownership demand within the borough, commissioned from consultants Arc4. For example, the latest evidence shows that three bed houses are the most popular housetype amongst potential buyers, so the proportion of three beds has been increased accordingly.
- 12.9 Ongoing mitigation: the scheme will be marketed using the Rother Living brand that is proving successful on the Council's existing housing development schemes, and will build on the work being done to promote shared ownership as a low cost home ownership product across the borough. There will always be a risk that some properties do not sell and the fall-back position could be that these revert to Council rent. For shared ownership homes this will be subject to the agreement of Homes England. This option has been discussed with Homes England and they would assess on a case-by-case basis.

### ***Programme***

- 12.10 The delivery of the proposed scheme represents a complex and challenging programme over multiple sites. There are numerous eventualities that could lead to slippage in the programme.

- 12.11 Mitigation to date: engaging a contractor at the start of the design process has allowed any changes to be modelled by the contractor’s Planning Manager who will be responsible for the delivery of the scheme, factoring in the impact of changes on the contractor’s supply chain. This has allowed realistic assessment of the milestones to ensure they remain achievable. Submitting planning applications in advance of Cabinet approval will enable a prompt start on site once external funding is in place.
- 12.12 Ongoing mitigation: the project steering group meets on a fortnightly basis to assess the ongoing risk register and anticipate and mitigate any issues with the programme.

**13. Accountable Officers**

Tom Bell, Assistant Director of Housing Services

Approvals obtained on behalf of Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	07/10/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	04/10/19
Head of Legal Services (Monitoring Officer)	Bal Nahal	04/10/19

*Report Author: David Mason, Housing Development Coordinator  
01709 255083 or david.mason@rotherham.gov.uk*

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

## Appendix 1: Sheffield Road Car Park



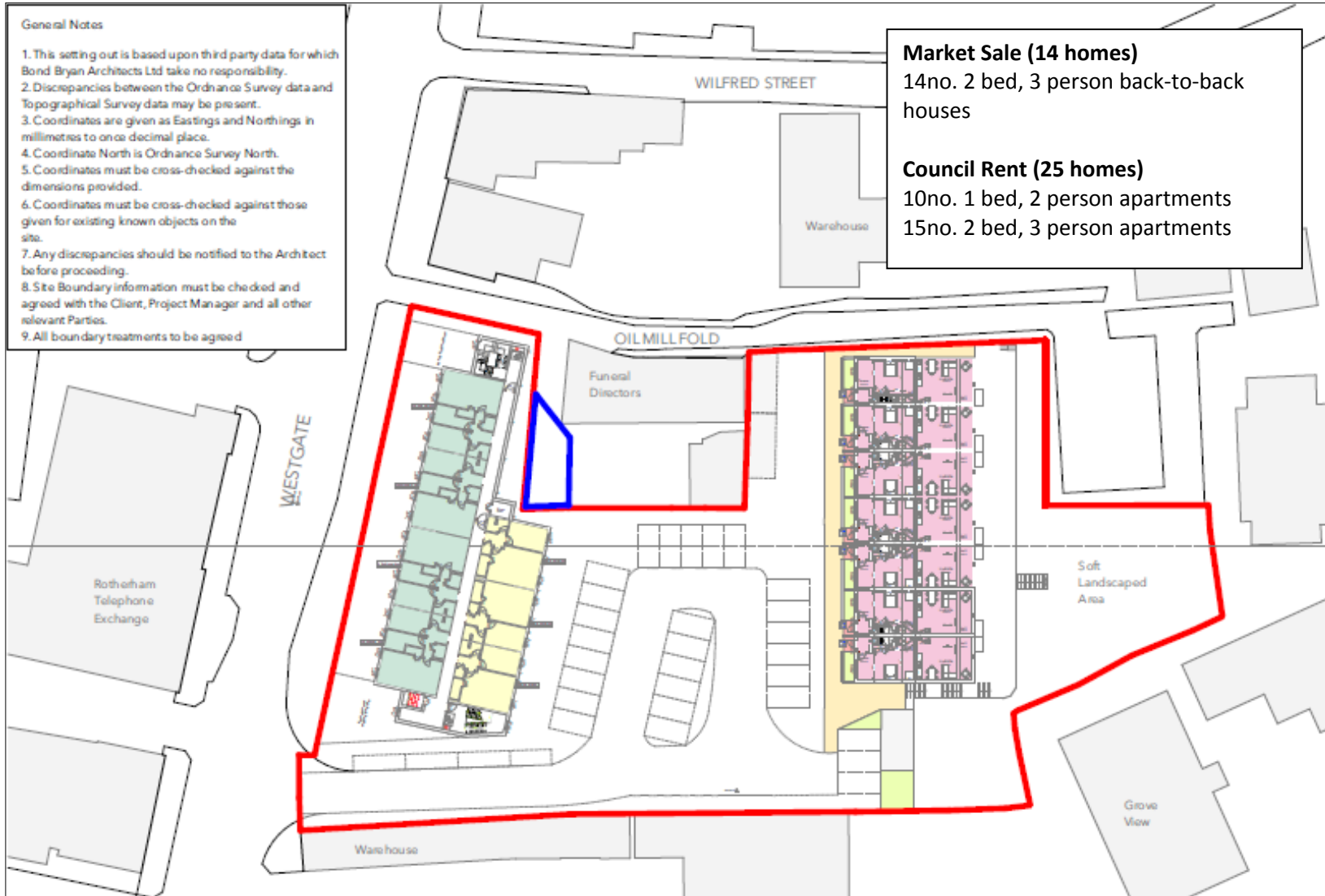
### Market Sale (34 homes)

- 8no. 3 bed, 6 traditional houses
- 5no. 3 bed, 6 person riverside houses
- 8no. 2 bed, 4 person houses
- 8no. 2 bed, 3 person back-to-back houses
- 5no. 2 bed, 3 person riverside houses

### Council Rent (44 homes)

- 21no. 1 bed, 2 person apartments
- 23no. 2 bed, 3 person apartments

## Appendix 2: Millfold House



### Appendix 3: Former Henley's Garage



- General Notes
1. This setting out is based upon third party data for which Bond Bryan Architects Ltd take no responsibility.
  2. Discrepancies between the Ordnance Survey data and Topographical Survey data may be present.
  3. Coordinates are given as Eastings and Northings in millimetres to once decimal place.
  4. Coordinate North is Ordnance Survey North.
  5. Coordinates must be cross-checked against the dimensions provided.
  6. Coordinates must be cross-checked against those given for existing known objects on the site.
  7. Any discrepancies should be notified to the Architect before proceeding.
  8. Site Boundary information must be checked and agreed with the Client, Project Manager and all other relevant Parties.
  9. All boundary treatments to be agreed

**Shared Ownership (31 homes)**

- 10no. 3 bed, 6 person houses
- 10no. 2 bed, 4 person houses
- 6no. 1 bed, 2 person apartments
- 5no. 2 bed, 3 person apartments

**Council Rent (23 homes)**

- 12no. 1 bed, 2 person apartments
- 11no. 2 bed, 3 person apartments

## PART B – Equality Analysis Form

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

This form:

- Can be used to prompt discussions, ensure that due regard has been given and remove or minimise disadvantage for an individual or group with a protected characteristic
- Involves looking at what steps can be taken to advance and maximise equality as well as eliminate discrimination and negative consequences
- Should be completed before decisions are made, this will remove the need for remedial actions.

Note – An Initial Equality Screening Assessment (Part A) should be completed prior to this form.

When completing this form consider the Equality Act 2010 protected characteristics Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc. – see page 11 of Equality Screening and Analysis Guidance.

1. Title	
<b>Equality Analysis title:</b> Analysis on impact of town centre house build programme	
<b>Date of Equality Analysis (EA):</b> 05/07/2019 (updated on 27/09/2019)	
<b>Directorate:</b> Adult Care, Housing & Public Health	<b>Service area:</b> Strategic Housing & Development Service
<b>Lead Manager:</b> Jane Davies, Head of Strategic Housing & Development	<b>Contact number:</b> 01709 334970
<b>Is this a:</b> <input type="checkbox"/> <b>Strategy / Policy</b> <input type="checkbox"/> <b>Service / Function</b> <input checked="" type="checkbox"/> <b>Other</b>	
<b>If other, please specify</b> Report seeking approval to use Housing Revenue Account capital resources to deliver 171 homes across three Council-owned sites in the town centre.	



## 2. Names of those involved in the Equality Analysis (Should include minimum of three people) - see page 7 of Equality Screening and Analysis Guidance

Name	Organisation	Role (eg service user, managers, service specialist)
Jane Davies	RMBC	Head of Strategic Housing and Development
Dave Mason	RMBC	Housing Development Coordinator (Delivery)
Hannah Upstone	RMBC	Housing Development Outcomes Officer

## 3. What is already known? - see page 10 of Equality Screening and Analysis Guidance

### Aim/Scope (who the Policy/Service affects and intended outcomes if known)

This may include a group/s identified by a protected characteristic, others groups or stakeholder/s e.g. service users, employees, partners, members, suppliers etc.)

The scheme is to deliver 171 homes on three Council-owned sites in Rotherham Town Centre. The sites will be mixed tenure to include market sale, shared ownership and council rent.

It is set out in the Housing Strategy how we meet local housing need whilst ensuring our existing residents are living in safe, clean and affordable homes that meet their needs. Therefore these schemes would affect anyone looking for a new home, whether that be rented or for sale.

### What equality information is available? (Include any engagement undertaken)

- Profile of applicants on Council's Housing Register (numbers of households eligible for age restricted accommodation etc)
- Local population demographic data
- Profile of existing Council tenants
- ARC4 shared ownership report which sets out demand for shared ownership
- Strategic Housing Market Assessment

### Are there any gaps in the information that you are aware of?

- Limited information re. demand for new housing in the town centre as we are creating a new market
- People who own their homes and want to downsize into ownership of a smaller new build property
- People who own their homes and are seeking to move, who are disabled

<p><b>What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?</b></p> <p>One year after the first property completion we will conduct analysis of who is living in the new homes and demand for each site / property type</p> <p>This will be repeated annually</p>	
<p><b>Engagement undertaken with customers. (date and group(s) consulted and key findings)</b></p>	<ul style="list-style-type: none"> <li>• Strategic Housing Market Assessment 2018</li> <li>• Housing Strategy consultation – various groups and meetings including 2018 Tenant Conference, 2018 Rotherham Show etc</li> <li>• Town centre master plan consultation</li> <li>• Local Ward Members - consulted at Boston Castle Ward Network events on 9<sup>th</sup> April and 14<sup>th</sup> May 2019.</li> <li>• Rotherham Strategic Housing Forum (which includes RotherFed and Voluntary Action Rotherham as well as a range of housing associations and other partners) – discussed on 28<sup>th</sup> September 2018 and 11<sup>th</sup> June 2019 with brief verbal updates at intervening meetings.</li> <li>• Rotherham Voice – town centre businesses – 5<sup>th</sup> February 2019 (presentation on housing programme).</li> </ul> <p>General consensus that residential development is an important part of Rotherham Town Centre’s future and that a range of people could benefit / would be interested, particularly older people who want to live close to shops, services and public transport.</p>
<p><b>Engagement undertaken with staff (date and group(s) consulted and key findings)</b></p>	<ul style="list-style-type: none"> <li>• Rotherham Strategic Housing Forum – discussed on 28<sup>th</sup> September 2018 and 11<sup>th</sup> June 2019 with brief verbal updates at intervening meetings.</li> <li>• Housing Developer Summit – 21<sup>st</sup> November 2019</li> <li>• Rotherham Town Centre Task and Finish Group (presentation and main focus on housing programme) – 20<sup>th</sup> June 2019.</li> <li>• Homes England liaison meetings - 14<sup>th</sup> November 2018, 7<sup>th</sup> May 2019.</li> <li>• Rotherham’s Town Centre and Housing and Regeneration Board – updates to every meeting since the Board was established in Feb 2017.</li> <li>• Consultation as part of the planning process</li> </ul> <p>General consensus that residential development is</p>



	critical to the wider Masterplan for the Town Centre, its economic vibrancy, making it feel a safer place to visit and live in etc.
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#### 4. The Analysis - of the actual or likely effect of the Policy or Service (Identify by protected characteristics)

**How does the Policy/Service meet the needs of different communities and groups?** (Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity) - see glossary on page 14 of the Equality Screening and Analysis Guidance)

The main aim of the project is to provide low cost home ownership and Council rented housing near to the town centre which will have a direct impact on disadvantaged communities.

There are no known specific property requirements for the below protected characteristics;

- Sex
- gender reassignment
- race
- sexual orientation
- civil partnerships and marriage

Some religions or beliefs may require separate living spaces for the males and females of the household e.g. living room, dining room.

There is to be a mix of house types from 1-bed apartments to 3 bedroom houses, suiting a wide variety of households including (but not exclusive to);

- Pregnancy and maternity
- parents
- single parents and guardians,
- carers,
- unemployed and people on low incomes
- Older people

There is no supported accommodation on these sites due to the number of existing support accommodation units within the town centre which could affect the below protected characteristics;

- ex-offenders,
- victims of domestic violence,
- homeless people etc.
- looked after children

However as not all of the above will require supported accommodation the council rented properties could be accessed through the normal allocations policy.

It provides Shared Ownership houses for first time buyers and key workers but also Shared Ownership apartments for older downsizers or those coming out of a relationship.

23 of the Council rented properties will be restricted to people aged over 50 or with an assessed priority need which will help older people to access new homes in the town centre.

164 of the 171 homes are designated 'visitable', in terms of accessibility, meaning they benefit from level access from the pavement or a designated accessible parking bay and have the appropriate door widths and an entrance level WC. Circulation spaces provided to access the apartments are generously sized and easy to navigate with no complex layouts. All apartment blocks benefit from lift access to all levels.

**Does your Policy/Service present any problems or barriers to communities or Groups?**

No

**Does the Service/Policy provide any positive impact/s including improvements or remove barriers?**

The scheme provides apartments for Council Rent for singles and couples who are attracted by the concept of Town Centre living but are priced out of the private rented sector. It provides Shared Ownership houses for first time buyers and key workers but these will also be accessible for older downsizers or those coming out of a relationship. It also includes 23 homes for older Council tenants (aged 50+) or tenants with an assessed medical priority need, on a level access site with excellent links to the shops and services in the town centre, which will help to support the establishment of sustainable communities.

**What affect will the Policy/Service have on community relations? (may also need to consider activity which may be perceived as benefiting one group at the expense of another)**

The proposed scheme will add 171 households in and around the town centre which will contribute to and grow existing communities.

Please list any **actions and targets** that need to be taken as a consequence of this assessment on the action plan below and ensure that they are added into your service plan for monitoring purposes – see page 12 of the Equality Screening and Analysis Guidance.

## 5. Summary of findings and Equality Analysis Action Plan

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic - See page 11 of the Equality Screening and Analysis guidance

<b>Title of analysis:</b> Council delivery of new homes on Rotherham town centre sites
<b>Directorate and service area:</b> Adult Care, Housing & Public Health, Strategic Housing and Development Service
<b>Lead Manager:</b> Jane Davies, Head of Strategic Housing and Development
<b>Summary of findings:</b>
No remedial actions required. The only action is to monitor the impact of the scheme on communities according to their protected characteristic and this will be done so via an annual report.

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
Analysis of people living in 171 properties one year after first property completion	All	<b>January 2022</b>
Annual analysis thereafter	All	<b>January 2023</b>

\*A = Age, D= Disability, S = Sex, GR Gender Reassignment, RE= Race/ Ethnicity, RoB= Religion or Belief, SO= Sexual Orientation, PM= Pregnancy/Maternity, CPM = Civil Partnership or Marriage. C= Carers, O= other groups

## 6. Governance, ownership and approval

Please state those that have approved the Equality Analysis. Approval should be obtained by the Director and approval sought from DLT and the relevant Cabinet Member.

Name	Job title	Date
Tom Bell	Assistant Director, Housing	04/10/2019
Anne Marie Lubanski	Strategic Director, Adult Care, Housing and Public Health	04/10/2019
Councillor Beck	Cabinet Member for Housing	04/10/2019

## 7. Publishing

The Equality Analysis will act as evidence that due regard to equality and diversity has been given.

If this Equality Analysis relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy should also be sent to [equality@rotherham.gov.uk](mailto:equality@rotherham.gov.uk) For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

<b>Date Equality Analysis completed</b>	05/07/2019
<b>Report title and date</b>	Council delivery of new homes on Rotherham town centre sites – 16 <sup>th</sup> September 2019
<b>Date report sent for publication</b>	
<b>Date Equality Analysis sent to Performance, Intelligence and Improvement <a href="mailto:equality@rotherham.gov.uk">equality@rotherham.gov.uk</a></b>	



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

**Committee Name and Date of Committee Meeting**

Council – 30 October 2019

**Report Title**

Recommendation from Cabinet – Adoption of Revised Statement of Community Involvement

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

Yes

**Strategic Director Approving Submission of the Report**

Paul Woodcock, Strategic Director of Regeneration and Environment

**Report Author**

Ryan Shepherd, Senior Planning Officer  
01709 823888 or [ryan.shepherd@rotherham.gov.uk](mailto:ryan.shepherd@rotherham.gov.uk)

**Ward(s) Affected**

Borough-wide

**Summary**

At its meeting on 21 October 2019, the Cabinet considered a report in respect of the proposed adoption of the revised Statement of Community Involvement.

The original report providing detail to the proposals is appended in order to provide Members with sufficient knowledge to agree the proposals.

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

**Recommendations**

1. That the current Statement of Community Involvement (2015) be withdrawn.
2. That the revised Statement of Community Involvement (2019) be adopted.

**List of Appendices Included**

Appendix A Report to Cabinet – 21 October 2019 – Revised Statement of Community Involvement

**Background Papers**

Report to Cabinet – 21 October 2019 - [Appendix 1 Equality Analysis Screening](#)

Report to Cabinet – 21 October 2019 - [Appendix 2 Equality Analysis Form](#)

Report to Cabinet – 21 October 2019 - [Appendix 3 Draft SCI Consultation Statement](#)

Report to Cabinet – 21 October 2019 - [Appendix 4 Revised Statement of Community Involvement](#)  
[Statement of Community Involvement \(adopted June 2015\)](#)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
Cabinet – 21 October 2019

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No



**Committee Name and Date of Committee Meeting**

Cabinet – 21 October 2019

**Report Title**

Adoption of a revised Statement of Community Involvement

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

Yes

**Strategic Director Approving Submission of the Report**

Paul Woodcock, Strategic Director of Regeneration and Environment

**Report Author(s)**

Ryan Shepherd, Senior Planning Officer  
01709 823888 or [ryan.shepherd@rotherham.gov.uk](mailto:ryan.shepherd@rotherham.gov.uk)

**Ward(s) Affected**

Borough-Wide

**Report Summary**

The Statement of Community Involvement (SCI) sets out how the Council involves local communities in planning for the future of the Borough, through the preparation of the Local Plan and other planning policy documents, and the determination of planning applications. It is a legislative requirement that the Council has a Statement of Community Involvement for planning-related consultations and reviews it every five years.

The report outlines the outcome of consultation on a draft revised Statement of Community Involvement. Under Article 3 of the Constitution, the SCI forms part of the policy framework. As such, only a meeting of the Council can adopt a revised SCI. Cabinet approval is therefore sought to recommend to Council that the current Statement of Community Involvement is withdrawn and the revised document is adopted.

**Recommendations**

1. That Council be recommended to withdraw the current Statement of Community Involvement (2015).
2. That Council be recommended to adopt the revised Statement of Community Involvement (2019).

**List of Appendices Included**

- Appendix 1 Equality Analysis Screening
- Appendix 2 Equality Analysis Form
- Appendix 3 Draft SCI Consultation Statement
- Appendix 4 Revised Statement of Community Involvement

**Background Papers**

Statement of Community Involvement (adopted June 2015)

[https://www.rotherham.gov.uk/info/200074/planning\\_and\\_regeneration/893/a\\_guide\\_to\\_how\\_you\\_can\\_influence\\_planning\\_decisions](https://www.rotherham.gov.uk/info/200074/planning_and_regeneration/893/a_guide_to_how_you_can_influence_planning_decisions)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Overview and Scrutiny Management Board – 16 October 2019

Council – 30 October 2019

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No

## **Adoption of revised Statement of Community Involvement**

### **1. Background**

- 1.1 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires the Council to produce a Statement of Community Involvement (SCI). The SCI sets out how and when stakeholders can influence new planning policy documents covering Rotherham, how information will be communicated and the ways in which individuals and organisations can comment on planning applications. It is critical in encouraging engagement in the planning process with the communities and stakeholders of Rotherham and a range of other statutory consultees.
- 1.2 The Council's current SCI was adopted in June 2015. Following adoption of the Local Plan Sites and Policies document in June 2018, this effectively completes the current cycle of Local Plan production in Rotherham. As such, it is an appropriate and timely point to review and revise the current SCI and fulfil the duty of reviewing the SCI within the five years required.
- 1.3 Public consultation on a draft revised SCI was approved by Cabinet on 20 May 2019 (minute 153 refers), and took place between 10 June and 8 July 2019. Representations were received from nine individuals or organisations. Further detail of the consultation process, including a summary of the representations received and the Council's response, is set out in the consultation statement at Appendix 3.

### **2. Key Issues**

- 2.1 The main issues raised in the representations were:
- Seeking further detail on consultation activities and methods, contact details, guidelines for community consultation and petitions.
  - Appendix A should include reference to geodiversity interest, and loss of property value and loss of a view should be identified as "Material Considerations".
  - The Joint Radio Company Limited should be consulted on any planning application involving wind turbines.
  - For planning applications, it does not identify who and when the Council will consult and involve.
  - Concerns about the SCI consultation process.
  - Concerns about the Council decision making process and other consultations.
  - The "Digital First" approach excludes those without access to those services.
  - Consultations should be advertised in local newspapers and libraries with a paper copy of the document.
  - Consultation forms should include more open ended free text options.
  - Concern regarding health and safety issues in relation to wireless telecommunications technology.

2.2 In response to the representations received a number of changes to the document have been made. These are set out in the Consultation Statement at Appendix 3. In summary the changes:

- Provide further detail regarding pre-application community consultation.
- Refer to applicants providing information on how they carry out pre-application public consultation.
- Provide further detail regarding consultation with statutory and non-statutory consultees.
- Include reference to geodiversity in relation to material planning considerations.

2.3 In addition, reference has been made to joint working agreements with town and parish councils and a separate protocol which provides further specific guidance on how parish and town councils are involved in consultation on planning applications.

2.4 The text of the revised SCI incorporating the above amendments is included at Appendix 4. The final version published on the Council's website may include minor formatting and presentational changes.

### 3. **Options considered and recommended proposal**

3.1 **Option 1: adopt the SCI without incorporating the proposed changes**  
The Council could adopt the SCI without incorporating the proposed changes. This option is not recommended, as it does not reflect an appropriate response to issues raised by consultees during the public consultation exercise.

3.2 **Option 2: adopt the SCI incorporating the proposed changes**  
The Council could adopt the SCI incorporating the proposed changes. This is the recommended option, as it ensures an appropriate response to the representations received during the consultation period and would result in the adoption of an up to date and fit for purpose document.

3.3 Option 2 is the recommended option.

### 4. **Consultation on proposal**

4.1 The main body of this report summarises the consultation process, responses and the Council's proposed changes. The detail of the consultation process is provided in Appendix 3 Draft SCI Consultation Statement.

4.2 In addition to this, internal consultation has taken place with the Council's Development Management team who have provided input into the assessment of representations received, the Council's response and the proposed changes. The Council's Customer Information & Digital Services Manager was also consulted on the draft SCI and approach to public consultation.

**5. Timetable and Accountability for Implementing this Decision**

- 5.1 Subject to approval by Cabinet, the revised SCI at Appendix 4 would be recommended to Council for adoption at the next available meeting.
- 5.2 On adoption, the current SCI would be withdrawn and the revised SCI would be made available on the Council's website. The Council would then be required to carry out future planning consultations in accordance with the revised SCI.

**6. Financial and Procurement Advice and Implications**

- 6.1 The consultation was carried out via Planning Policy's on-line consultation portal, therefore the printing and advertising costs incurred of approximately £500, were managed within the Service's existing approved revenue budget. The adopted SCI will primarily be made available on the Council's web-site, so any costs associated with the adoption of this document will also be managed within the Service's existing approved revenue budget.
- 6.2 There are no direct procurement implications within this report.

**7. Legal Advice and Implications**

- 7.1 The Council has already sought to encourage engagement in the planning process and the second option at 3.2 incorporates the outcome of the consultation and representations received.
- 7.2 There may be a legitimate expectation from the representatives to this effect.

**8. Human Resources Advice and Implications**

- 8.1 There are no Human Resources implications associated with the adoption of the revised SCI.

**9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 There are no implications for children and young people and vulnerable adults associated with adoption of the draft revised SCI. The SCI establishes how all of Rotherham's communities can be involved in plan making and decisions on planning applications. This works alongside other Council strategies to deliver local priorities for development and promote effective and worthwhile community involvement.

**10. Equalities and Human Rights Advice and Implications**

- 10.1 The SCI establishes how all of Rotherham's communities can be involved in plan making and decisions on planning applications. Whilst the SCI strongly encourages a digital first approach, alternative arrangements to ensure access may be made on a case by case basis.

## 11. Implications for Partners

- 11.1 The implications for partners or other directorates are mainly associated with how stakeholders can engage with the Council in the preparation of planning documents or decision making in relation to planning applications.

## 12. Risks and Mitigation

- 12.1 It can be difficult to ensure compliance with the Government's desire for extensive community participation whilst also achieving timely processing of planning applications and quicker Local Plan preparation. The revised SCI resolves this contradiction by setting out an appropriate approach to public consultation on planning documents and planning applications.
- 12.2 The Council has a statutory duty to prepare and keep up to date a Statement of Community Involvement under The Planning and Compulsory Purchase Act (2004) and The Town and Country Planning, (Local Planning) (England) Regulations 2012.
- 12.3 When a Development Plan Document is subject to independent examination it is subject to a legal "test of soundness". To pass this test, the Council must demonstrate the Development Plan Document has been consulted on in accordance with the adopted SCI. It is equally important that consultation on planning applications is carried out in accordance with the SCI so that decisions are not subject to legal challenge.

## 13. Accountable Officers

Bronwen Knight, Head of Planning and Transport

Approvals obtained on behalf of Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	07/10/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	02/10/19
Head of Legal Services (Monitoring Officer)	Bal Nahal	01/10/19

*Report Author:* Ryan Shepherd, Senior Planning Officer  
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This report is published on the Council's [website](#).

**Committee Name and Date of Committee Meeting**

Council – 30 October 2019

**Report Title**

Amendment to the Constitution – Responsibility for Functions – Terms of Reference for Cabinet

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

No

**Strategic Director Approving Submission of the Report**

Shokat Lal, Assistant Chief Executive

**Report Author(s)**

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

**Ward(s) Affected**

Borough-Wide

**Report Summary**

The Council adopted the Leader and Cabinet model of executive decision making following a Governance Review in 2015/16. Legislation underpinning this model of executive governance gives the Leader of the Council the authority to determine how executive functions will be discharged by the authority through the Leader's own executive authority, the Cabinet or by officers. As such, the Leader of the Council has proposed that the terms of reference of the Cabinet be amended to include provision for that body to determine major changes to the method of delivery of council services.

This report is submitted to recommend to the Council that Appendix 9 of the Constitution be amended to reflect the change to the Cabinet's terms of reference.

**Recommendations**

1. That the Terms of Reference of the Cabinet be amended to include provision for the Cabinet to determine major changes to the method of delivery of council services.

**List of Appendices Included**

None

**Background Papers**

Appendix 9 of the Constitution – Responsibility for Functions

Final Report of Rotherham Council’s Governance Working Member’s Group –  
February 2016

Local Government Act 2000

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No



## **Amendment to the Constitution – Responsibility for Functions – Terms of Reference for Cabinet**

### **1. Background**

- 1.1 The Constitution of the Council has been the subject of rigorous review in recent years with every part of the document updated or re-written as part of the improvements required of the Council's governance processes. This work commenced with the Governance Review in 2015/16, which reviewed which model of executive governance would be most appropriate to expedite the Council's improvement journey.
- 1.2 The Local Government Act 2000, as amended, required local authorities to adopt one of the following models of executive governance:-
- **Leader and Cabinet** – operated by most councils. Decision-making powers can be given to individual cabinet members or retained by full cabinet. The Leader is elected by Council and the Council must have at least one overview and scrutiny committee.
  - **Mayoral system** – directly elected executive mayor, who appoints a cabinet made up of other councillors, who may also have decision making powers. The Council must have at least one overview and scrutiny committee.
  - **Committee system** – most decisions are made by Committees, which comprise of a range of councillors, to reflect the political balance of the Council (this is the only model of the three options that specifically requires political balance). The Council is not required to have an overview or scrutiny committee(s) but may choose to do so. Individual members cannot make decisions, although these can be delegated to individual officers
- 1.3 The recommendation from the Governance Review Working Party, a cross party group of Members, was to confirm the retention of the Leader and Cabinet model governance, but complemented with enhanced pre-decision scrutiny arrangements and a further external review of the Constitution to ensure that the authority had effective governance procedures to deliver improved outcomes from services for communities across the borough.

### **2. Key Issues**

- 2.1 The statutory provisions of the Leader and Cabinet model of executive governance give authority to the Leader of the Council to determine how executive functions will be discharged. Appendix 9 of the Constitution (Responsibility for Functions) details the Cabinet's terms of reference, as well as all other provisions for the delegation of executive functions to officers of the Council.

2.2 In reviewing the Cabinet's terms of reference, the Leader of the Council has proposed that these be amended to include a provision for the Cabinet to determine major changes to the method of delivery of council services. In proposing this amendment, the Leader of the Council has indicated that authority for such decisions in respect of council services delivered either by the Council or by an external organisation or partner. The proposed amendment is designed to ensure that there is Member level decision making in respect of any significant service changes to aid transparency and democratic oversight.

### 3. **Options considered and recommended proposal**

3.1 The proposed amendment would be inserted as a new point 24 in the Cabinet's terms of reference and read:-

24. to determine major changes to the method of delivery of council services (covering both in house or externally delivered services)

3.2 The current point 24, which reads "The exercise of any other executive function which the Leader or Cabinet determines shall be decided by the full Cabinet or which has been referred to the Cabinet by an individual Cabinet member" would become point 25 in the Cabinet's terms of reference.

3.3 The proposed amendment would give effect to a provision that has been operating across services in the most part. The decision to amend the Constitution enshrines the principle that the Cabinet would be the sovereign decision maker in respect of such matters in future.

### 4. **Consultation on proposal**

4.1 The Leader of the Council has consulted members of the Constitution Working Group in respect of the proposal to amend the Cabinet's terms of reference. Members of the Constitution Working Group were supportive of the change.

### 5. **Timetable and Accountability for Implementing this Decision**

5.1 Whilst the Leader of the Council has the authority to determine how executive functions are discharged, the authority to amend the Constitution is a matter for the Council in accordance with Article 18.3 (Changes to the Constitution). This report is submitted to comply with this requirement.

5.2 If the Council is minded to approve the recommendation to amend the Constitution, the change will be effective immediately. The Head of Democratic Services will be accountable for the implementation of the change to the Appendix 9 of the Constitution (Responsibility for Functions) which will amend the Cabinet's terms of reference.

### 6. **Financial and Procurement Advice and Implications**

6.1 There are no direct financial or procurement implications arising from the recommended amendment to the Constitution.

## 7. **Legal Advice and Implications**

7.1 The legal implications of the proposed amendment to the Constitution are detailed throughout the report. There are no additional legal implications.

## 8. **Human Resources Advice and Implications**

8.1 There are no human resources implications directly arising from the proposed amendment to the Constitution.

## 9. **Implications for Children and Young People and Vulnerable Adults**

9.1 There are no direct implications for children and young people or vulnerable adults arising from the proposed amendment to the Constitution.

## 10. **Equalities and Human Rights Advice and Implications**

10.1 There are no equalities or human rights implications directly arising from the proposed amendment to the Constitution.

## 11. **Implications for Partners**

11.1 There are no implications for partners directly arising from the proposed amendment to the Constitution.

## 12. **Risks and Mitigation**

12.1. There are no identifiable risks arising from the proposed amendment to the Constitution.

## 13. **Accountable Officers**

James McLaughlin, Head of Democratic Services

Approvals obtained on behalf of Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	14/10/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	14/10/19
Head of Legal Services (Monitoring Officer)	Bal Nahal	14/10/19

*Report Author:* James McLaughlin, Head of Democratic Services  
01709 822477 or james.mclaughlin@rotherham.gov.uk

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

**Committee Name and Date of Committee Meeting**

Council – 30 October 2019

**Report Title**

Membership of Political Groups on the Council, Political Balance and Entitlement to Seats

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

No

**Strategic Director Approving Submission of the Report**

Shokat Lal, Assistant Chief Executive

**Report Author(s)**

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

**Ward(s) Affected**

Borough-Wide

**Report Summary**

The Proper Officer is required to notify the Council of any change in the political balance of the authority or the operation of new political groups under the Local Government (Committees and Political Groups) Regulations 1990. Since the last meeting held on 4 September 2019, the Proper Officer has received notification of a change in the political balance of the authority. .

There are two political groups in operation on the Council – the Brexit Party Group (11 Members) and the Labour Group (48 Members) – with four non-aligned Members, who are not in a political group.

There are 149 seats available on committees, boards and panels and under the calculation the Labour Group is entitled to 114 seats and the Brexit Party Group is entitled to 28. This leaves 7 seats which cannot be given to members of the political groups and should be allocated to the three non-aligned councillors.

The authority has two seats on the South Yorkshire Police and Crime Panel, one of which was appointed to on 22 May 2019. The current vacancy must be filled by a member of the Brexit Party Group and be appointed to by the Council.

**Recommendations**

1. That the operation of two political groups on the Council and the detail of their designated Leaders be noted:

(a) Labour Group – Councillor Chris Read (Leader of the Council) – 48 Members

(b) Brexit Party Group – Councillor Allen Cowles (Leader of the Majority Opposition Group) – 11 Members

2. That the entitlement of the membership of the political groups and non-aligned Members be agreed and such entitlements be reflected in Council's appointments of members to committees.
3. That approval be given to the appointment of Councillor McNeely to the Planning Board and non-aligned Members to committees, boards and panels, as set out on the schedule in the Mayor's Letter to be tabled at the meeting.
4. That the Council appoint either a Brexit Party Group Member or a non-aligned Member to serve as a representative on the South Yorkshire Police and Crime Panel.

**List of Appendices Included**

None

**Background Papers**

The Constitution of Rotherham Metropolitan Borough Council

Report to Council – 22 May 2019 – *Membership of Political Groups on the Council, Political Balance and Entitlement to Seats*

Report to Council – 24 July 2019 – *Membership of Political Groups on the Council, Political Balance and Entitlement to Seats*

Minutes of the Council meeting held on 22 May 2019

Minutes of the Council meeting held on 24 July 2019

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No

## Membership of Political Groups on the Council, Political Balance and Entitlement to Seats

### 1. Background

- 1.1 Section 15 of the Local Government and Housing Act 1989 places on local authorities the duty to allocate seats to political groups and sets out the principles to be followed when determining such allocation. The main principles, which must be satisfied sequentially, include:
- (a) That the number of seats on ordinary Committees/Bodies ... which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority, as is borne by the Members of that group to the membership of the Authority (i.e. the allocation of the total number of seats available must mirror the political composition of the council).
  - (b) That the number of seats on the Body (Committee, etc.), which are allocated to each political group, bears the same proportion to the number of all the seats on that Body as is borne by the number of Members of that group to the membership of the Authority (i.e. the allocation of seats on individual committees must mirror the political composition of the council).
- 1.2 Local authorities are able to depart from the statutory provisions where there is unanimous agreement to do so.
- 1.3 Those members not in a political group are entitled to a due share of seats, although the council will decide how to allocate seats to non-aligned councillors.

### 2. Political Groups

- 2.1 The Proper Officer has received formal notification, under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, of a change in the political balance of the Council. Councillor Nigel Simpson, formerly of the Brexit Party, is now a non-aligned (independent) Member. The effect of this change means that the political balance of the Council is:

<b>Name of Group</b>	<b>Designated Leader (number of Members)</b>
Brexit Party	Councillor Allen Cowles (11 Members)
Labour	Councillor Chris Read (48 Members)

- 2.2 As Councillor Simpson has given notice to the Proper Officer of his intention to sit as a non-aligned (unaffiliated to a political party) councillor. Whilst Councillor Adam Carter is affiliated to the Liberal Democrats and Councillors Jepson, Short and Simpson are unaffiliated to a political party, none of these Members belong to a political group. For the purpose of this report, Councillors Carter, Jepson, Short and Simpson are regarded as non-aligned councillors.

### 3. Allocation of Seats

- 3.1 The allocation process must be applied 'so far as is reasonably practicable' to achieve a balanced outcome. The allocation of the 149 seats to the two political groups is determined by the following formula:

$$\frac{\text{Number of Members of Political Group}}{\text{Total Number of Members of Council}} \times \text{Number of Seats to be allocated}$$

For the 149 seats available in applying principle (a) in paragraph 1.1, this gives:

Political Group	Seat Entitlement
Labour	114
Brexit Party	26
Non-aligned	9
<b>TOTAL</b>	<b>149</b>

- 3.2 Application of principle (b) in paragraph 1.1 of this report, relating to the number of seats on individual committees, gives the following:

	Seats Available	Labour	Brexit Party	Non-aligned
<b>Regulatory Committees/Boards</b>				
Audit Committee	5	4	1	0
Licensing Board	21	16	4	1
Licensing Committee	15	11	3	1
Planning Board	15	11	3	1
Staffing Committee	5	4	1	0
Standards and Ethics Committee	8	6	1	1
<b>Overview and Scrutiny</b>				
Overview & Scrutiny Management Board	12	9	2	1
Health Select Commission	18	14	3	1
Improving Lives Select Commission	18	14	3	1
Improving Places Select Commission	18	14	3	1
<b>Other Bodies</b>				
Corporate Parenting Group	5	4	1	0
Introductory Tenancy Review Panel	4	3	0	1
Joint Consultative Committee	5	4	1	0
<b>TOTAL</b>	<b>149</b>	<b>114</b>	<b>26</b>	<b>9</b>

- 3.2.1 This calculation reflects the entitlement to seats from the calculation under principle (a).
  - 3.2.2 Under the application of both principle (a) and principle (b) the non-aligned councillors have an entitlement of 9 seats.
  - 3.2.3 As the non-aligned councillors are not a group under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, there is no requirement to appoint those members to those seats. The Council has the discretion to appoint the non-aligned councillors to none, some or all of the four seats available. The Council may not appoint members of other political groups to fill those seats.
- 3.3 The Council is invited to consider any nominations to appoint non-aligned Members to serve on those committees, boards and panels where there is a vacancy for non-aligned Members. Details of nominations received will be reported to the meeting in the Mayor's Letter.
- 3.4 The Labour Group has indicated that Councillor McNeely is to be appointed to that group's vacancy on the Planning Board. If approved, this will create a vacancy on the Licensing Board, as Members are not permitted to serve on both the Planning Board and Licensing Board concurrently.

#### **4. South Yorkshire Police and Crime Panel – Appointment of Members**

- 4.1 On 22 May 2019, the Council appointed Councillor Sansome to serve on the South Yorkshire Police and Crime Panel as the Labour Group representative. The Council did not appoint a representative from the former UK Independence Party Group. Following the formation of the Brexit Party Group in July 2019, the Council further considered the issue of appointing a member of that group to serve on the South Yorkshire Police and Crime Panel on 24 July 2019, however the appointed member, Councillor Cowles, refused to accept the appoint and the seat remained unfilled.
- 4.2 The Police & Crime (Nominations, Appointments and Notifications) Regulations 2012 require the Council to notify the Secretary of State where it fails to nominate or appoint to the police and crime panel for the local force area. In June 2019, the Chief Executive wrote to the Home Secretary to advise that the Council did not appoint to the seat to which the former UK Independence Party Group was entitled. The Home Office has responded to the Council to indicate that the above regulations require the Council to seek to achieve political balance "as far as is reasonably practicable", and invited the Council to consider whether the limit of that definition had been reached in the failure to appoint on two previous occasions. The Home Office therefore suggested that the Council should consider appointing a member from a different political group, if a Brexit Party group member were not willing to accept appointment to the body.



- 4.3 Having considered this matter twice previously in the current municipal year, the Council should consider making an appointment to the South Yorkshire Police and Crime Panel from the non-aligned members of the Council. In doing so, it will not be able to consider Councillor Carter for appointment to serve on the Panel, as the Liberal Democrats Party already has representation on the body from Sheffield City Council, therefore the nomination must be one of Councillors Jepson, Short or Simpson.

## **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Following the change in political balance, there is a requirement for the Council to make appointments to committees, boards and panels which will be effective from the date of the meeting that appointments are agreed.
- 5.2 The Council is also required to consider the appointment of a member, recommended to be from the non-aligned members of the Council, to serve as a representative on the South Yorkshire Police Crime Panel. If agreed, this appointment would be effective from the date of this Council meeting.

## **6. Financial and Procurement Advice and Implications**

- 6.1 There are no financial and procurement implications directly arising from this report.

## **7. Legal Advice and Implications**

- 7.1 The legislative requirements in respect of political balance and entitlement to seats are set out earlier in this report.
- 7.2 The Monitoring Officer to the South Yorkshire Police and Crime Panel was consulted following receipt of the advice from the Home Office and has indicated agreement that the Council should seek to appoint a member and that the statutory responsibility of notifying the Home Secretary of the failure to appoint had been undertaken.

## **8. Human Resources Advice and Implications**

- 8.1 There are no human resources implications arising from this report.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 The appointment of members to serve on committees and other bodies of the council will indirectly impact on children and young people and vulnerable adults through the activities and decisions of those bodies. There are no apparent direct implications at the time of writing this report.

## **10. Equalities and Human Rights Advice and Implications**

- 10.1 There are no equalities implications arising from the report. Political groups are required to have regard to the provisions of the Equality Act 2010 when nominating Member appointments to committees and other offices.

## **11. Implications for Partners**

11.1 The appointment of councillors to serve on external bodies and partnerships is designed to have a positive impact on the council's relationship with those organisations and enhance the relationship through the presence of accountable and elected representatives.

## **12. Risks and Mitigation**

12.1 By having regard to the detail of the report above in respect of meeting statutory requirements, any risk implications will have been mitigated. Consequently there are no risks to be borne in mind in respect of the recommendations.

## **13. Accountable Officer(s)**

James McLaughlin, Head of Democratic Services

*Report Author: James McLaughlin, Head of Democratic Services  
01709 822477 or james.mclaughlin@rotherham.gov.uk*

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

**Committee Name and Date of Committee Meeting**

Council - 30 October 2019

**Report Title**

Community Governance Review - Ravenfield Parish Council

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

No

**Strategic Director Approving Submission of the Report**

Judith Badger, Strategic Director of Finance and Customer Services

**Report Author(s)**

Bal Nahal, Head of Legal Services  
01709 823361 - bal.nahal@rotherham.gov.uk

**Ward(s) Affected**

Wickersley  
Silverwood  
Hellaby

**Report Summary**

The Council have received a petition from Ravenfield Parish Council requesting a Community Governance Review. This report explains the statutory background, outlines the proposed timetable and the role of the Council's role in carrying out the review.

**Recommendations**

That Council:

1. Agrees that a community governance review of the parish of Ravenfield is undertaken.
2. Agrees the Terms of Reference for the review in respect of the parish of Ravenfield which are at Appendix 3.
3. Agrees that Council receives a further report on the outcome of the consultation undertaken as part of the review.

**List of Appendices Included**

Appendix 1 First page of Petition  
Appendix 2 Map of effected area  
Appendix 3 Terms of Reference

**Background Papers**

Guidance on Community Governance Reviews [Department for Communities and Local Government and the Local Government Boundary Commission for England, March 2010]

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

Yes

**Exempt from the Press and Public**

No

## Community Governance Review - Ravenfield Parish Council

### 1. Background

- 1.1 The Local Government and Public Involvement in Health Act 2007 devolves the power to take decisions about matters such as the creation of parishes to the 'Principal' Council. Rotherham Metropolitan Borough Council now, therefore, has the power to carry out a Community Governance Review.

### 2. Key Issues

- 2.1 The Council has received a petition from Ravenfield Parish Council asking that a Community Governance Review be undertaken in the Ravenfield Parish Council in respect of the Parish boundary. The first page of the petition is at Appendix 1. The petition is a valid petition under the provisions of the Act.
- 2.2 The petition asks for a Community Governance Review to be undertaken with a view to altering the existing boundary of the Parish of Ravenfield. A map of the existing Parish boundary and the amendment proposed by Ravenfield Parish Council is at Appendix 2.
- 2.3 The reasons stated for the proposed amendment are as follows:

*"This is a petition addressed to Rotherham Metropolitan Borough Council under section 88 of the Local Government and Public Involvement in Health Act 2007 (as amended by the Legislative Reform ((Community Governance Reviews) Order 2015 (hereinafter referred to as "The Act"))*

*We the undersigned, request that Rotherham Metropolitan Borough Council change the boundary between Bramley and Ravenfield Parishes under Community Governance Powers granted to them under legislation. The boundary between Moor Lane South and Lidget Lane should be moved south to a line stretching from the southern border of site LDF0774 (Rotherham Local Plan) running from Moor Lane South eastward to Lidget Lane (identified as a red line on the map attached to the petition.*

*The request is made due to the change of use on LDF0774 to residential and the inevitable increase in population. Residents of the new housing will live in the community of Ravenfield and use Ravenfield village facilities. The current boundary would create an anomalous situation and be harmful to community cohesion."*

- 2.4 In order to start the required Community Governance review, the Council will need to agree Terms of Reference for the review and as part of the review to carry out statutory consultation. The proposed Terms of Reference in respect of this Community Governance Review are enclosed at Appendix 3.

As stated in the Terms of Reference the Review will specifically consider:-

- (i) Whether to alter the existing area of the Parish of Ravenfield

The arrangements in respect of the proposed consultation are also set out within the Terms of Reference.

2.5 Section 93 of the Act requires the Council to ensure that community governance within the area under review will be:-

- Reflective of the identities and interests of the community in that area
- Effective and convenient

2.6 The Guidance on Community Governance Reviews (issued by the Department for Communities and Local Government and the Local Government Boundary Commission for England in March 2010) [the Guidance] required consideration to be given to:-

- The impact of community governance arrangements on community cohesion;
- The size, population and boundaries of the local community or parish.

### **3 Options considered and recommended proposal**

#### **Option 1**

3.1 That Council undertake the Community Governance Review as outlined in the Terms of Reference at Appendix 3.

S 83 of the Local Government and Public Involvement in Health Act 2007 states that once a Principal authority receives a valid community governance petition, relating to the whole or part of the Council's area, the principal authority must undertake a community governance review that has terms of reference that allow for the petition to be considered.

#### **Option 2**

3.2 That the Council does not undertake a Community Governance Review however this would not be in accordance with s.83 of the Local Government and Public Involvement in Health Act 2007.

3.3 It is recommended that Option 1 is followed.

### **4. Consultation on Proposal**

4.1 Section 93 (3) of the Act requires that the principal council must consult the following:-

- (a) the local government electors for the area under review;
- (b) any other person or body (including a local authority) which appears to the principal council to have an interest in the review.

The proposed consultation would take place over the period between 1<sup>st</sup> November 2019 and 31<sup>st</sup> January 2020 and a further report would then be brought to a meeting of Council.

- 4.2 The consultation would be with local people potentially affected by the community governance review, local parish councils, local MPs, Rotherham CCG, SY Police and local businesses.

## **5. Timetable and Accountability for Implementing this Decision**

- 5.1 If the recommendations set out above are adopted, Council will receive a further report on the responses to the further consultation and the outcome of the review at a meeting in July 2020.
- 5.2 The full timetable for the Community Governance Review is set out in the Terms of Reference at Appendix 3.

## **6. Financial and Procurement Advice and Implications**

- 6.1 There will be a cost to the Council in respect of the consultation exercise associated with this Community Governance Review. This will be in respect of the cost of advertising, provision of leaflets, room hire and officer time in undertaking the review. It is considered that this cost should not exceed £5,000.

## **7. Legal Advice and Implications**

- 7.1 The legal issues and relevant legislation relating to Community Governance Reviews are set out above, in the body of the report.

## **8 Human Resources Advice and Implications**

- 8.1 There are no human resources implications arising from this report.

## **9 Implications for Children and Young People and Vulnerable Adults**

- 9.1 There are no direct implications for children and young people arising from this report.

## **10 Equalities and Human Rights Advice and Implications**

- 10.1 There are no equalities and human rights implications arising from this report.

## **11 Implications for Partners**

- 11.1 There are implications for Ravenfield and Bramley Parish Councils as set out in the body of the report.

## **12 Risks and Mitigation**

- 12.1 The 2007 Act requires that local people are consulted during a community governance review, that representations received in connection with the review are taken into account and that steps are taken to notify them of the outcomes of such reviews including any decisions. When undertaking the review the Council must have regard to the need to secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.
- 12.2 Without effective consultation there is the risk that recommendations arising from the review would not reflect the identities and interests of local communities or effective and convenient community governance. That risk is sought to be mitigated by the proposed consultation.

## **13 Accountable Officer(s)**

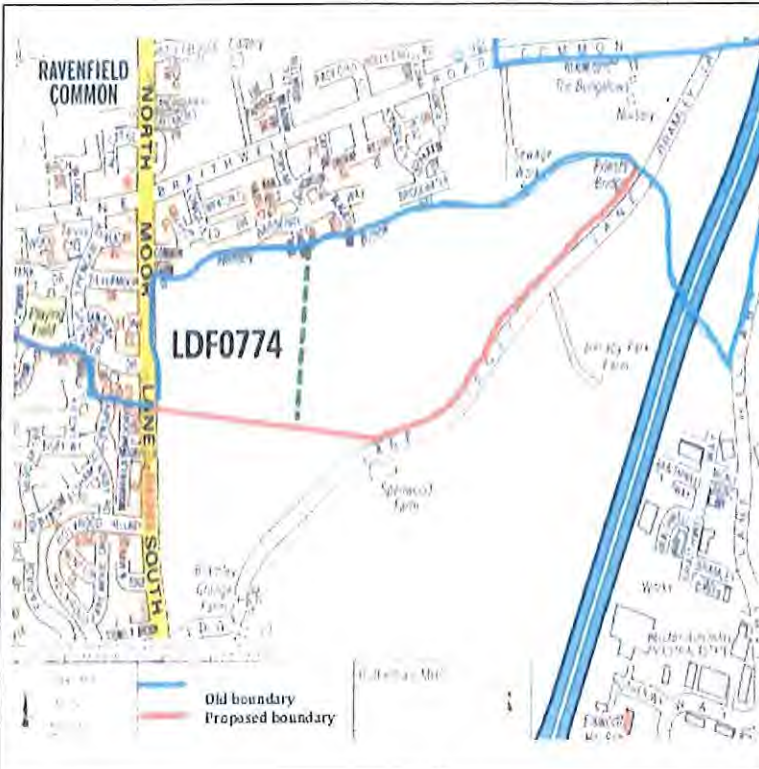
Bal Nahal, Head of Legal Services and Monitoring Officer

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**A Petition for the alteration of a parish boundary between the civil parishes of Ravenfield and Bramley, South Yorkshire**



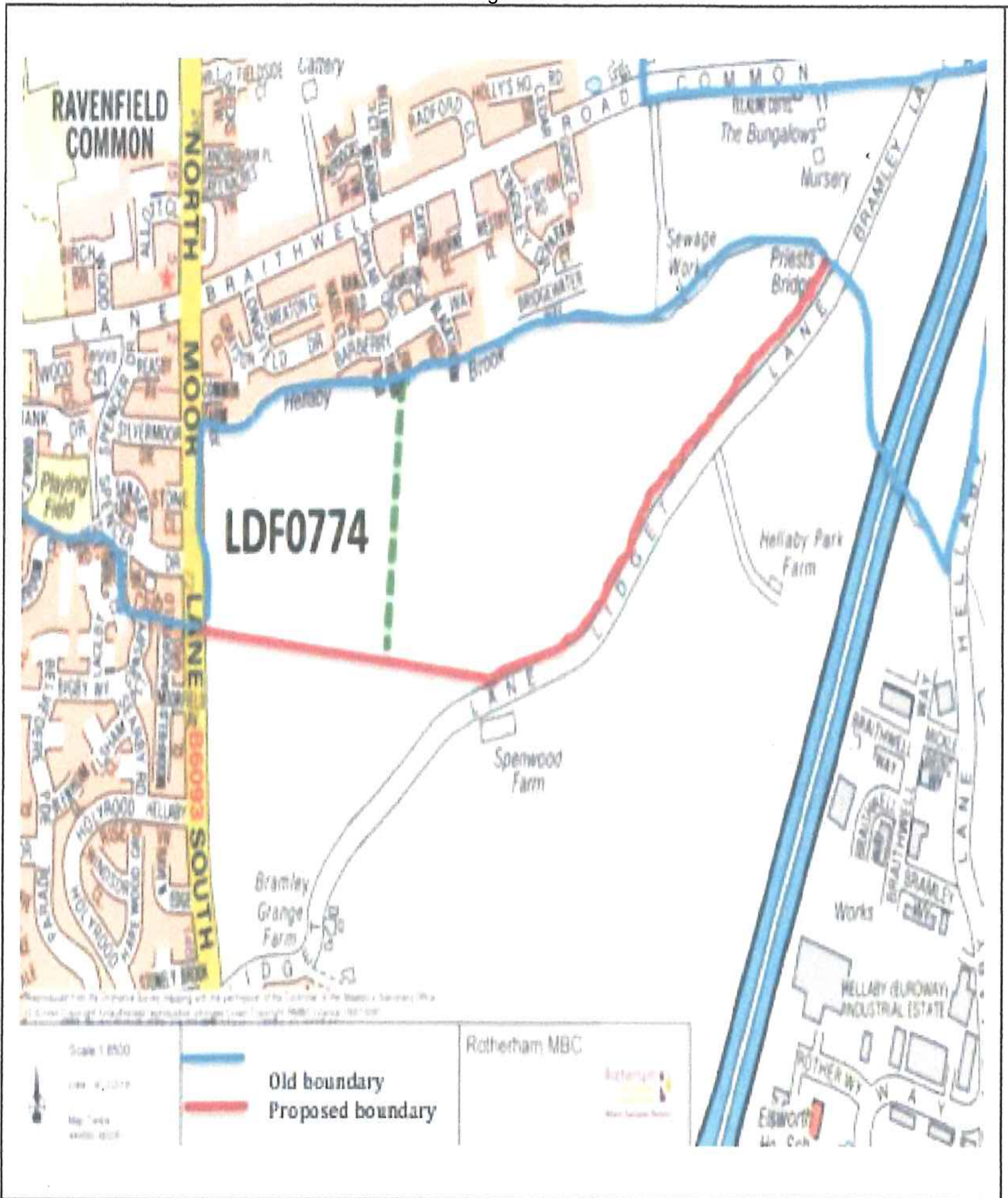
This is a petition addressed to Rotherham Metropolitan Borough Council under section 88 of The Local Government and Public Involvement in Health Act 2007 (as amended by the Legislative Reform ((Community Governance Reviews) Order 2015 (hereinafter referred to as 'The Act').

We, the undersigned, request that Rotherham Metropolitan Borough Council change the boundary between Bramley and Ravenfield Parishes under Community Governance Powers granted to them under legislation. The boundary between Moor Lane South and Lidget Lane should be moved south to a line stretching from the southern border of site LDF0774 (Rotherham Local Plan) running from Moor Lane South eastward to Lidget Lane.(identified as a red line on the attached map).

The request is made due to the change of use on LDF0774 to residential and the inevitable increase in population. Residents of the new housing will live in the community of Ravenfield and use Ravenfield village facilities. The current boundary would create an anomalous situation and be harmful to community cohesion.



Name	Address	Signature





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Scale 1:8500  
 Date 14/10/19  
 Map Title  
 LDF0774

 Old boundary  
 Proposed boundary

Rotherham MBC





**COMMUNITY GOVERNANCE REVIEW**

**RAVENFIELD PARISH COUNCIL**

**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN  
HEALTH ACT 2007**

**TERMS OF REFERENCE**

Proposed

## 1. INTRODUCTION

### 1.1 Aims of Review

Following a request from Ravenfield Parish Council, Rotherham Borough Council (the Principal Council), has resolved to undertake a Community Governance Review pursuant to Part 4 of the Local Government and Public Involvement in Health Act, 2007, to consider:-

- (a) Whether to alter the area of the existing Parish of Ravenfield

### 1.2 Why undertake a Community Governance Review?

A Community Governance Review provides an opportunity for principal authorities such as Rotherham Metropolitan Borough Council to review and make changes to community governance within their area.

A Community Governance Review is a review of the whole or part of the District to consider one or more of the following:-

- creating, merging, altering or abolishing Parishes.
- the naming of Parishes and the style of new Parishes.
- the electoral arrangements for Parishes (the ordinary year of election; Council size; the number of Councillors to be elected to Council; and, Parish Warding).
- grouping Parishes under a common Parish Council or de-grouping Parishes.

The Government has emphasised that, ultimately, recommendations arising from Community Governance Reviews ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

### 1.3 Scope of the Review

The Review will specifically consider:-

- (i) Whether to alter the area of the existing Parish of Ravenfield as set out on the attached Plan (Appendix 1).

The reasons stated for the proposed amendment to the boundary of Ravenfield Parish, which would also alter the boundary of Bramley Parish are as follows:-

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*We the undersigned, request that Rotherham Metropolitan Borough Council change the boundary between Bramley and Ravenfield Parishes under Community Governance Powers granted to them under legislation. The boundary between Moor Lane South and Lidget Lane should be moved south to a line stretching from the southern border of site LDF0774 (Rotherham Local Plan) running from Moor Lane South eastward to Lidget Lane (identified as a red line on the map attached to the petition.*

*The request is made due to the change of use on LDF0774 to residential and the inevitable increase in population. Residents of the new housing will live in the community of Ravenfield and use Ravenfield village facilities. The current boundary would create an anomalous situation and be harmful to community cohesion.”*

## 2. CONSULTATION

Before making any recommendations or publishing final proposals in line with legislative requirements, the Principal Council will take full account of the views of local people. The Principal Council will comply with legislative requirements by:-

1. Consulting Local Government electors for the area under review (both Ravenfield and Bramley parishes):
  - A Notice will be published in the relevant newspaper, on the Council's website and the Notice Boards of the affected Parishes. The Terms of Reference of the Review will be published on the Council's website with an opportunity for electors to make comment.
  - A copy of the Terms of Reference will be sent to the Clerks of the affected Parishes.
  - A leaflet summarising these Terms of Reference will be sent to all households in the affected Parishes.
  - Drop in sessions will be held in each affected Parish during early December 2019.
2. Consulting the Principal Council's Councillors representing the area affected by the Review:
  - Letters will be sent enclosing the Notice of Terms of Reference of the Review.
3. Consulting with the following: neighbouring parish councils, local MPs (John Healey and Kevin Barron), Rotherham CCG, SY Police and local businesses.
4. Taking into account any representations received in connection with the Review.

When taking account of written representations, the Principal Council is bound to have regard to the need to secure that community governance within the area under the review:-

- Reflects the identities and interests of the community in that area; and,
- Is effective and convenient

In order to ensure that this review is conducted transparently, as soon as practicable, the Principal Council will publish its recommendations and take such steps as it considers sufficient, to ensure that persons who may be interested in the review are informed of the recommendations and the reasons behind them.

The Principal Council will also notify each consultee and any other person or bodies that have made written representations, of the outcome of the review.

## 3. CURRENT ELECTORATES

Using the Register as at 1<sup>st</sup> July, 2019, the electorate for the existing Parish area is as follows:-

Parish	Electorate
Ravenfield	2,273
Bramley	6,042

#### 4. ELECTION RESULTS

The last available results for the parish of Ravenfield and Bramley are for 2015. The election was uncontested.

The persons below are the current Parish Councillors for Ravenfield and Bramley.

Parish/Ward	Candidates
<b>Bramley Parish</b>	
<b>Central Ward</b>	Malcolm Brown
	Dennis Hardwick
	James Moore
	David Sayner
	Gillian Yeardley
<b>North Ward</b>	Peter Ward
	Wesley Wood
<b>South Ward</b>	Ian Handley
	James Jackson
	Jean Makin
<b>Ravenfield Parish</b>	
	Brian Callear
	David Finch
	Karen Jay
	Jill Jesson
	Neil Pearson
	David Rowley
	Rebecca Jubb

#### 5. TIMETABLE FOR THE REVIEW

Action	Timetable	Outline of Action
Terms of Reference are published	1 <sup>st</sup> November, 2019	Principal Council publishes Terms of Reference and notifies stakeholders, clearly defining the extent of the review.
Consultation	1 <sup>st</sup> November 2019 - 31 <sup>st</sup> January 2020	Views on the proposals sought from interested parties.
Final proposals prepared and published	1 <sup>st</sup> February, 2020 - 31 <sup>st</sup> March, 2020	Report to Council on outcome of consultation and approval of final recommendations.
Consultation on final	15 <sup>th</sup> May, 2020 – 30 <sup>th</sup>	Copies of final proposals published on

Action	Timetable	Outline of Action
proposals	June, 2020 (Purdah – 31 <sup>st</sup> March, 2020, to 7 <sup>th</sup> May, 2020)	website and sent to all interested parties.
Council report on outcome of consultation	1 <sup>st</sup> July, 2020 to 31 <sup>st</sup> July, 2020	Report to Council on outcome of consultation and if appropriate approval of Order to implement changes
Implementation of Changes if ordered	1 <sup>st</sup> April, 2021	Changes implemented

## 6. YOUR VIEWS

If you would like to say how you view potential future arrangements under these Terms of Reference, please submit your written comments no later than 31<sup>st</sup> January, 2020 to:-

Bal Nahal  
 Head of Legal Services  
 Rotherham MBC  
 Riverside House  
 Main Street  
 Rotherham  
 S60 1AE

Alternatively your submission may be emailed to  
[RavenfieldCGR@rotherham.gov.uk](mailto:RavenfieldCGR@rotherham.gov.uk)

Should you require any further information or need clarification on the review process, please contact:-

Bal Nahal  
 Head of Legal Services

Tel: 01709 823661  
 Email: [bal.nahal@rotherham.gov.uk](mailto:bal.nahal@rotherham.gov.uk)

These Terms of Reference will be published on the Borough Council website: [www.rotherham.gov.uk](http://www.rotherham.gov.uk) and will be available for public inspection at the Riverside House, Main Street, Rotherham, S60 1AE. Notices advertising this Community Governance Review and the availability of these Terms of Reference will also be posted within the Parish.



# Overview and Scrutiny Update



June - September  
2019



# Overview and Scrutiny Update

## Our Work Programme 2019-2020

### Overview and Scrutiny Management Board

- ❖ Council Plan Performance
- ❖ Safer Rotherham Partnership
- ❖ Complaints
- ❖ Budget and Medium Term Financial Strategy
- ❖ Customer Services Transformation
- ❖ Library Strategy
- ❖ Revenue Budget Monitoring
- ❖ Welfare Reform
- ❖ Children's Commissioner's Takeover Challenge
- ❖ Pre-decision Scrutiny

### Health

- ❖ Adult Care Service Development
- ❖ Autism Strategy and Pathway
- ❖ Public Health
- ❖ Rotherham Integrated Health and Care Place Plan
- ❖ Respiratory Services
- ❖ Social, Emotional and Mental Health
- ❖ Maternity Services
- ❖ Gambling and Gaming tbc
- ❖ South Yorkshire and Bassetlaw Integrated Care System
- ❖ NHS Trust Quality Reports

### Improving Lives

- ❖ Early Help/Social Care Pathways
- ❖ Safeguarding – Children and Adults
- ❖ Holiday Hunger
- ❖ CYPS Workforce Strategy
- ❖ Looked After Children Sufficiency Strategy
- ❖ Counter Extremism in Schools
- ❖ CYPS Performance
- ❖ Monitoring Ofsted Inspections
- ❖ School Performance
- ❖ Special Educational Needs and Disability (SEND)

### Improving Places

- ❖ Thriving Neighbourhoods
- ❖ Social Inclusion
- ❖ Building Stronger Communities
- ❖ Cultural Strategy
- ❖ Litter and Recycling
- ❖ Rotherham Town Centre
- ❖ Major Incident Plan
- ❖ Area Housing Panel Review
- ❖ Employment and Skills Strategy
- ❖ Flooding Alleviation

## Welcome to the first update for 2019-20

The purpose of these updates is to give an overview of the work carried out by the Overview and Scrutiny Management Board (OSMB) and the Select Commissions - Health (HSC), Improving Lives (ILSC) and Improving Places (IPSC) during the last few months.

Page 2 provides a reminder of the broad work programme previously agreed for 2019-20. Scrutiny also needs to be able to consider and respond to other issues which may arise during the year and the committees frequently revisit and re-prioritise their work programmes. Already we have seen the inclusion of the Employment and Skills Strategy and Flooding Alleviation for IPSC. The Library Strategy and South Yorkshire Fire and Rescue Service - Integrated Risk Management Plan have been additional items scrutinised by OSMB. HSC has also considered proposals for future services at the Rotherham Community Health Centre.

As last year, much of the work of ILSC so far has focused on scrutinising progress on key strategies, probing specific areas in depth in order to be assured about provision for children and young people.

HSC is continuing to look closely at service transformation and closer integrated working between health and social care, such as developments to simplify the pathways for intermediate care and reablement and to achieve better outcomes for people.

In pre-decision scrutiny OSMB has already considered a number of major plans and strategies in 2019-20 and it is pleasing to see that equality analyses are coming forward routinely and improving in detail and quality.

IPSC has seen positive outcomes from its recommendations on Home to School Transport. Other recommendations around enforcement are expected to progress further over the coming months.

The first section of this report covers pre-decision scrutiny, whether undertaken by OSMB or one of the Select Commissions, followed by sections for each individual committee. Where relevant for this period the update will include details of:-

- Progress monitoring of strategies and plans following past scrutiny
- Recommendations made by the committees
- Outcomes resulting from scrutiny
- Reviews - underway or due to commence
- Sub-group/Task and Finish Group activity
- Member visits
- Public involvement in scrutiny
- Key future items
- Other activity undertaken by the Scrutiny Members

I hope this will be a useful and informative update of overview and scrutiny work undertaken between June and September 2019.

**Cllr Brian Steele, Chair of Overview and Scrutiny Management Board**

## Overview and Scrutiny Update

### Pre-decision Scrutiny

The recommendations made in all the pre-decision reports considered by Scrutiny were supported. Details of additional recommendations made by Scrutiny, plus any requests for specific information and intentions for future monitoring, are outlined below.

- ❖ **Looked After Children and Care Leavers Sufficiency Strategy 2019 – 2022**  
An update will be provided to ILSC in January 2020 on the implementation of the strategy.
- ❖ **Rotherham's Cultural Strategy 2019 – 2026**  
Following feedback from OSMB, the protected characteristics in the Equality Analysis had been updated to reflect current terminology prior to consideration of the strategy by Cabinet. As recommended by Scrutiny, a structure chart had been produced to outline the governance arrangements and lines of accountability. OSMB also requested an update in June 2020 on implementation of the strategy.
- ❖ **Rotherham Employment and Skills Strategy**  
OSMB made a number of recommendations which Cabinet agreed would be taken back to the Business Growth Board for consideration:-
  - ensuring the document was designed to be accessible
  - steps that could be taken to address barriers to employment or training such as lack of photographic identification or a bank account
  - provision of meaningful work experience opportunities for young people (linked to 2018 Children's Commissioner's Takeover Challenge)
  - to review the Equality Analysis to make sure it reflected gender inequality in the employment and skills market
  - for a detailed action plan to be provided with clear targets, milestones and measures to IPSC in September 2019
- ❖ **Proposal for a Public Space Protection Order in the Fitzwilliam Road area**  
An update will be provided to IPSC on implementation after six months.
- ❖ **Advice Services Review - Phase 2**  
OSMB requested a monitoring report on the implementation of Phase 2 to go back to a sub-group, along with the outline proposals for Phase 3.
- ❖ **Adults Independent Advocacy Services - Commissioning and Procurement Approach**  
The Board recommended that GPs should be encouraged to learn about the advocacy service in one of their dedicated Protected Learning Time sessions, as the report showed a low number of referrals originated from them. An update detailing performance and outcomes will be provided to HSC following twelve months of operation after the award of the contract.

The following proposals were supported by OSMB without additional recommendations:

- ❖ Adoption of a Sex Establishments Policy
- ❖ Revised Foster Carer Fees and Allowances Payment Scheme
- ❖ Local Plan Core Strategy Five Year Review
- ❖ Strategic Management and Maintenance of Rotherham's Highways
- ❖ Special Educational Needs and Disability (SEND) Phase 2 – New Education Places
- ❖ Community Energy Switching Scheme

## Overview and Scrutiny Management Board

### ❖ Council Plan Refresh

OSMB noted a report that outlined the recent update to the Council Plan Performance Management Framework. Although the Council Plan was intended to cover three financial years, it was viewed as good practice to carry out an annual review of the performance measures within it. Services across the authority had reviewed performance throughout the 2018-19 financial year to determine the new targets for 2019-2020. Formal quarterly performance reports would continue to be presented at Cabinet, with an opportunity for scrutiny by non-executive Members.

Members raised a query in relation to the removal from the framework of the measure for successful treatment of non-opiate drug users and information on this would be reported back to HSC. Reference was also made to net new business as a measure, which represented something of a difference between floor space and new business take up and it was requested that consideration be given to restoring the previous measure on that basis.

### ❖ Children's Commissioner's Takeover Challenge (CCTOC) – Young Carers

A short report set out the findings from a spotlight review undertaken by Rotherham Youth Cabinet, together with Rotherham Young Carers Council, under the auspices of the CCTOC. The theme was improving access to leisure opportunities for young carers in Rotherham.

The young people formulated a number of recommendations and in summary these focus on:

- an improved offer of discounted access to leisure activities for young carers
- clear eligibility criteria
- support to travel to activities
- good promotion and publicity
- identification of young carers and support

OSMB approved the report to go forward for consideration by Cabinet and partners and requested a detailed response to the recommendations in January 2020.

### ❖ Safer Rotherham Partnership Annual Report

The Borough's Community Safety Partnership, the Safer Rotherham Partnership (SRP), presented its annual report for scrutiny by OSMB. Detail was provided on the work under each of the five key priorities. The Board welcomed the report, the good practice taking place and the easy to read format. Members explored a number of issues in greater depth, including how Rotherham compared with South Yorkshire neighbours on the priority areas; celebration of religious festivals in Rotherham; and stalking and harassment issues.

The SRP also responded to a recommendation made regarding last year's annual report and to a request made in March for more detail on a Council Plan measure.

- That further work be undertaken to establish protocols for sharing local offender management plans, or information supporting such plans, to ward councillors.
  - SRP and its statutory partners created a new meeting structure known as Community Action Partnerships (CAPs) to ensure the exchange of information between the Police, the Council and local ward Councillors. This

## Overview and Scrutiny Update

mechanism has enabled positive examples in relation to the release of offenders, however guidance has been offered to officers to ensure that this is relevant and appropriate. Further work has also been undertaken to increase the use of restrictive orders such as Criminal Behaviour Orders which give officers the opportunity to limit the movement of individuals where they may have targeted specific areas previously.

- Further information in relation to the Hate Crime outcome rate, which is a measure within the Council Plan that refers to the percentage of positive outcomes recorded by the Police in relation to hate crimes.
  - Although the 20% target had been missed consistently throughout last year, investigations take time to investigate and conclude which means more recent data remains subject to change as cases conclude. Improvements were anticipated but it was acknowledged that more work was required. During May 2019, South Yorkshire Police launched a new restorative justice partnership across the region and the response to hate crimes is one area which is expected to benefit from an increase in the use of restorative solutions, which are outside of any court process. This renewed approach is consistent with what community members tell services they want to see in response to hate crime, focussing on education and prevention.

OSMB asked for a Member seminar to update them on implementation of the changes to the Probation Service. They requested an update to ILSC on the actions and recommendations to address stalking and harassment. The Board also wished to have a further update on steps taken to address hate crime and agreed to be involved in any pre-scrutiny work on the Hate Crime Strategy and its development.

### ❖ Council Plan Quarter 4 (January to March 2019) and 2018-2019 Annual Performance Report

Consideration was given to a report which set out the headline priorities, outcomes and measures demonstrating delivery of the vision. The Quarter 4 report indicated that 58% of the total number of measures had been met, which represented a significant improvement in performance over previous quarters. An outline summary was provided of all targets and a snapshot of progress against the 13 delivery outcomes underpinning the Council's priorities and the key performance measures identified to demonstrate progress in achieving these outcomes.

The Board asked the Cabinet Member and lead officer for each priority to comment, drawing any attention to specific areas. This then prompted further questions from Members on issues under each of the five priorities. OSMB noted the achievements and direction of travel and took account of the concerns raised in relation to hate crime. They resolved to include this in their work programme, alongside fly-tipping, work related sickness and steps to address the gender pay gap.

### ❖ Financial Outturn 2018-19

The final revenue and capital outturn position for 2018/19 was a balanced budget which required £3.2m less use of corporate reserves than planned for in the original budget. A summary of the individual outturn position for each Directorate was detailed in the report, together with the actions and measures taken to deliver a balanced budget. The Council continues to face demand pressures, in particular in respect of social care and has provided additional budget for social care over the next two financial years, but the outlook is still challenging.

## Overview and Scrutiny Update

The Board sought clarification on the reserves, what these were dependent upon and if this was sustainable. It was confirmed that actions to address the budget overspend were mainly from one off opportunities. However, as a result of some of the work taking place fewer reserves were required and these had subsequently been profiled into the financial plan going forward. In terms of sustainability, the service were comfortable with the outturn achievements given the scale of the challenges but the Council could not sustain high level of overspends in the future.

### ❖ May Financial Monitoring Report 2019-20

Following their scrutiny of the outturn report, OSMB's attention turned to the financial position as at the end of May 2019. The Council had a forecast year-end overspend of £4.5m on the General Fund. This was based on actual costs and income for the first two months of 2019-20 and the forecast for the remainder of the financial year. The Strategic Director for Finance and Customer Services pointed out it would be premature take any drastic measures, but the right actions were taking place in service areas which still faced similar pressures to those reported over the last couple of years.

Members questioned the extent to which projected overspends had delayed implementation of restructuring or the cost-saving measures expected. In response to the Board's concerns about the Council having enough money to fulfil its obligations, the Strategic Director confirmed a number of controls would again need to be implemented, with restrictions on spending. There was the fall-back position of reserves and contingency within the budget that if not used in the current year it may be available for future years.

OSMB noted the forecast overspend and actions to be taken in mitigation. The Board will continue to scrutinise actions taken within Adult Social Care and Children and Young People's Services (CYPS) to reduce the deficits.

### ❖ CYPS - High Needs Block Update and Recovery Plan

After scrutinising the High Needs Block last year, OSMB were supportive of implementing a recovery plan to enable future budget sustainability and had agreed to look at this again as part of the monitoring cycle. The stated aim had been to bring in-year expenditure in-line with the annual budget allocation and to focus on a longer term plan which would contribute to reducing the cumulative deficit.

The Board were advised that Rotherham still faced considerable pressure in continuing to meet the needs of pupils with Special Educational Needs and Disabilities (SEND), with increasing numbers of pupils with an Education, Health and Care Plan (EHCP) and in-borough special school provision currently over-subscribed. Members were aware that consultation had been taking place with schools and Multi Academy Trusts on creating additional provision in Rotherham.

Scrutiny acknowledged that it was early days in the recovery plan process and steps had been outlined to reduce the deficit. The overall position would be closely monitored by the Board and ILSC would continue to monitor the SEND Sufficiency Strategy as part of its work programme.

### ❖ Forge Island Update

Members noted progress towards delivery of the Forge Island Scheme with two key milestones achieved. The legal agreement had been signed setting out pre-conditions that needed to be completed before development began and tenders had been received from potential contractors to deliver the flood defence infrastructure.



## Overview and Scrutiny Update

- ❖ **Cabinet Response to Scrutiny Review Modern Methods of Construction (MMC)**  
MMC is a generic term covering the different types of homes that are manufactured in a factory environment and either fully or partially assembled in the factory, or the component parts are assembled on site. This in-depth review focused on the viability of providing low cost housing for young single individuals and young families in one and two bedroom modular accommodation, incorporating suitable technology where possible to reduce running costs.

In terms of the recommendation “That consideration of any learning points identified as part of the Council’s MMC pilot schemes be used to inform any future MMC housing projects”, the Housing Service were securing final details to enter into a contract with a supplier to deliver eight bungalows in Rawmarsh and a further four bungalows at East Herringthorpe, subject to planning permission. The evaluation process would consider quality, customer experience, costs and maintenance costs, which would help with lessons learned going forward in terms of future schemes. It was agreed that a ‘lessons learned’ report would be submitted to IPSC following completion of the current modern methods of construction pilot project.

Another recommendation was “That each individual MMC property is monitored to demonstrate capital cost and repairs/maintenance costs over a set period of time to allow practical comparison with traditional built homes.” This was also accepted and costs would be broken down in relation to the individually built properties for review and analysis as part of the evaluation work going forward.

Recommendations with regard to potential pilots for family housing and for pods to support housing needs at various locations around the Borough were both deferred as further work was required in relation to single person's accommodation options and the need to build on the success of the bungalow scheme.

In relation to energy efficiency, Members were informed that a piece of work was being developed to look at the introduction of solar panels and energy efficiency measures to all affordable housing stock, rather than just focusing on MMC developments. The Board asked if the Council was considering other options including green credentials and eco-efficient initiatives and were advised that this was being looked at for properties built in Rotherham and Sheffield City Region as a whole. A strategy was under development and it was hoped there would be resources to test new approaches in respect of renewable energy sources to reduce cost and improve reliability. Whilst new technologies were emerging this needed further investigation to look at the whole life cycle costs of those elements, alongside the repairs and maintenance.

### Other activity

- ❖ **Consultation - South Yorkshire Fire and Rescue Service - Integrated Risk Management Plan (IRMP)**  
This session resulted from a previous OSMB recommendation that when the Fire and Rescue Service consulted on future IRMPs these should be considered by the constituent authorities’ Scrutiny Committees to receive considered feedback. OSMB made the following recommendations for consideration by the Chief Fire Officer.
  - That should it be necessary to consider additional savings to address funding pressures which may involve changes to day/night time staffing of fire engines or stations, that the Fire and Rescue Service commits to undertake a full public consultation on a refreshed IRMP.

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- That prior to consultation on future iterations of the Integrated Risk Management Plans being undertaken, detailed consideration is given to ensuring that the consultation adequately targets 'hard to reach' groups and groups with protected characteristics and this is reflected in its consultation plan.
- That there is no deterioration in the number/level of home safety checks undertaken in Rotherham.
- That the Fire and Rescue Service commits to providing further detailed statistical breakdown to the district authorities on emerging adverse trends or concerns relating to performance, home safety checks undertaken and response times.
- That should adverse trends be identified, that the Fire and Rescue Service draws up credible plans to address these concerns and these are shared with district authorities and other relevant groups - households, health partners, businesses etc.
- That the Fire and Rescue Service and South Yorkshire Fire and Rescue Authority give full consideration to the equality analysis prior to the approval of the IRMP and demonstrate what action has been taken to mitigate any potential adverse impact of its proposals on 'hard to reach' groups or groups with protected characteristics.

### ❖ Visit to Riverside House Reception

Members from across all four Scrutiny committees gave their views on how the reception area looked and operated now and fed in their ideas to inform the future plans. Several points were raised with a focus on flexibility and meeting the needs of all customers in terms of access to services and information. Support for people who were less confident in using digital channels was also discussed. Members inquired about testing out the redesigned process and on-line form in advance and suggested local groups who could also be asked to feed in their thoughts.

### ❖ Library Strategy

A sub-group undertook detailed scrutiny of the Draft Library Strategy and considered the outcomes of the public consultation, which had asked Rotherham residents for their views on proposed changes to the location of the central library. Members were satisfied that the consultation had been comprehensive and had actively sought to consult with groups who shared protected equality characteristics.

Members were also assured by the proposed direction for the strategy and supported the action plan. In particular, they welcomed co-location of services under the libraries umbrella as a community asset and the prospects for partnership working. Volunteering opportunities were seen as a way of developing skills and ensuring the viability of the service, particularly with proposed longer opening hours. "Digital First" principles were supported, with the proviso that support would be needed for some customers, echoing views from the visit to Riverside Reception.

The sub-group did however want reassurances that a robust mapping exercise had been done on the ability to deliver the opening hours and on the capacity to recruit, train and manage volunteers, who should be reflective of the wider community.

### In October

- ❖ Customer Access Strategy
- ❖ Children's Services Financial Monitoring and Review 2019/20
- ❖ Council Plan Quarter 1 - Areas for Improvement
- ❖ Annual Compliments and Complaints Report 2018-19
- ❖ Adult Social Care - budget, performance and Target Operating Model



## Health Select Commission

### ❖ Sexual Health Strategy for Rotherham (Refresh 2019-2021)

The draft strategy sets out the priorities for the next three years for improving sexual health outcomes for the local population. It provides a framework for planning and delivering commissioned services and interventions (within existing resources) aimed at improving sexual health outcomes across the life course. Areas of concern reflected by the Public Health England sexual and reproductive health epidemiology report in 2017 and from the Rotherham Voice of the Child Lifestyle Survey 2018 have been taken into account.

Members probed into the statistics and a number of issues in detail, including awareness raising, work with young people and vulnerable groups, delivery of healthy relationships and education in schools, and access to LARC (long-acting reversible contraception). Concerns were raised that the performance measures focused primarily on infection control rather than covering all the wider issues within the strategy. It was felt that there could be greater focus on issues around healthy relationships, consent, sexual abuse and reduction of sexual assault.

HSC requested that questions on school data be sent to CYPS for a response for future discussion. They asked for the Equality Analysis to be submitted and for consideration to be given by the Sexual Health Strategy Group to developing a broader and SMART range of performance indicators to measure success.

### ❖ Response to the Scrutiny Workshop - Adult Residential and Nursing Care Homes

The purpose of the review had been to consider progress in bringing about improvements to safety, quality and effectiveness in the sector. In addition, it had provided an opportunity to explore the impact of the Care Homes Support Service, as the care home sector was one of the transformation initiatives under the Rotherham Integrated Health and Social Care Place Plan.

All the recommendations were in place and progressing and in recent weeks emails had been circulated to relevant Ward Members to update them on Care Quality Commission (CQC) ratings for homes in their wards. Detailed briefings were also provided if there were any concerns or if CQC had been in a care home.

Discussion ensued to clarify what work was taking place on training, career pathways and capturing the voice of care home residents. HSC inquired whether the position with a shortage of nursing care beds had improved, as this was a national issue. Assurance was sought about the service being confident in spotting neglect and abuse at an early stage in residential care. The Commission also inquired about progress with the work of the Quality Board and will look to schedule an update next year.

### ❖ 2018 Annual Report of the Director of Public Health

Previous annual reports focused on the life course but the 2018 report sought to champion the strengths of Rotherham's local communities and share experiences of what kept residents healthy, happy and well. Two main themes flowed through the report – community and the environment – as well as the 'five ways to wellbeing'.

HSC were keen to see coordination between different workstreams, such as Adult Community Learning, neighbourhood working and health to focus on health inequalities. Challenges around behavioural changes were acknowledged.

## Overview and Scrutiny Update

HSC supported the actions in the plan with regard to raising awareness of the 'Five ways to wellbeing' and work to tackle loneliness and social isolation; expansion of social prescribing; and initiatives to support "healthy work". The Select Commission asked that its concerns about addressing health inequalities be raised with the Health and Wellbeing Board and the Rotherham Together Partnership. Further information about the incidence of depression was requested and provided.

### ❖ Developing Rotherham Community Health Centre

The centre had been purpose built to house the walk-in centre, a GP practice, dental services and community/outpatient facilities, but services had changed resulting in much of the centre lying empty. HSC heard about proposals to relocate Ophthalmology Outpatient Services there, which would benefit patients in being a town centre location and help to reduce footfall on the busy Rotherham Hospital site. The proposed change would meet CQC requirements for separate services for children and adults and ensure sufficient space to meet current and future demand.

The Commission requested a follow up report following the public engagement through the summer and this was discussed in September, with the majority of responses in favour. HSC were supportive of making better use of this facility as proposed after verifying what would happen for patients requiring urgent eye care and pharmacy provision. A further report will be considered in 2020 once the new arrangements are in place, to evaluate the impact of the changes.

### ❖ Enhancing the Respiratory Pathway

Members discussed a presentation that highlighted the rationale for change to the respiratory pathway and what the proposals were. Some of the issues flagged were poorer outcomes; fragmentation across the system; higher numbers going into hospital and longer hospital stays. The proposed changes had been clinically led and should result in greater standardisation of care; improved patient education and support for patients to self-manage; care closer to home through a specialist community respiratory team plus a dedicated respiratory unit at the hospital.

Plans for public engagement throughout September were outlined and although a variety of approaches would be used HSC opined that the timeframe seemed quite short and it was agreed this would be fed back. Clarification was sought on the scale of the difference in outcomes currently compared to other areas and whether prevention would be included as well as self-management. Clear information was requested to show what significant improvement would look like in terms of success measures. A more detailed data pack was shared with Members after the meeting.

### ❖ Investment and Evolution - Primary Care

A short presentation provided the Select Commission with an overview of the key ambitions for the NHS for the next ten years. In particular the focus was on new models of care and implications for general practice given the requirement to develop Primary Care Networks, which sees a major change in how GPs will work.

HSC delved into various issues including capacity in community services; promotion of appointments at the hubs; use of the Rotherham App; holistic care; First contact physiotherapy; and care navigation. Questions were asked about addressing health inequalities and whether the changes would lead to parity and consistency in terms of access to services. Members were given assurance that population health data would be used and would pinpoint areas where more support might be needed.

## Overview and Scrutiny Update

### ❖ Drug and Alcohol Treatment and Recovery Service

Following its previous spotlight review the Select Commission considered a monitoring report on progress with the outstanding recommendations. The current performance and service developments were noted and Members acknowledged the challenges for people with long-term methadone use in leaving services. They questioned performance on non-opiate user service exits and were reassured to learn that a specific psychosocial interventions package had recently been introduced. Progress was being made but there was still work to do to achieve the targets for service exits. Further questions were posed about reviews following the death of service user and learning from cases.

The new joint pathway between drug and alcohol services and mental health services that had resulted from the review provided greater clarity for staff on referrals. Services were asked to provide updates on future pathway developments and to consider encompassing wider issues such as domestic abuse.

### ❖ Maternity Services and response to “Better Births”

A comprehensive overview of current activity and the planned course of direction for maternity services were presented to Members. Work is focused on the seven key lines of enquiry within the national “Better Births” strategy. Smoking cessation was viewed as a golden thread across all the workstreams, ensuring the best health of maternity hosted network across the Integrated Care System. It was agreed that statistics and information would be reported back on achievement of the future key trajectories, sustainable support and the 35% target for continuity of carer by 31st March 2020. Statistics on smoking cessation and breastfeeding were requested.

### ❖ Update on proposals for Intermediate Care and Reablement

This followed an introductory presentation earlier in the year and provided HSC with more detail on how the work would be taken forward to implement new integrated pathways between Adult Social Care and Health.

The Commission sought clarification on the success measures that would show the difference the new pathways would make. They queried the role of GPs in the pathways, questioned support for carers and asked about any likely difficulties in both recruiting and retaining staff within the new model. Information sharing and the fact that partners use different IT systems was raised as a potential risk and assurance was provided that the key was to have the same decision points in both systems, consistent and agreed, to remove any confusion.

Two six week pilots, the first of which experienced some initial problems, had taken place in preparation for implementation from the end of October as proof of concept. Good outcomes had resulted from one team operating differently. The new approach involved different ways of working and a cultural shift for both managers and staff. This would then take time to cross over into mental health and learning disability as well but would happen. HSC were supportive of the new approach and will consider another update post-implementation.

### In October

- ❖ Rotherham Hospital Update - post-CQC inspection progress
- ❖ Social Emotional and Mental Health Strategy
- ❖ Schools Mental Health Trailblazer
- ❖ Workshop - Refresh of Suicide Prevention and Self-harm Action Plan

## Improving Lives Select Commission

- ❖ **Regional Schools Commissioner (East Midlands and the Humber Region)**  
The Secretary of State has delegated certain decision making powers in relation to academies to the Regional Schools Commissioners. These include identifying sponsors for inadequate maintained schools; making changes to academies and the formation of Multi-Academy Trusts (MATs); working with Local Authorities, the Diocese and other partners; making decisions on Free Schools; and overseeing the 'school improvement offer' for trusts who meet the criteria. The Commissioners work with academies to ensure they are underpinned by sound governance and finance to deliver good educational outcomes.

It was noted that Rotherham outcomes had not kept pace with improvements seen nationally. The Commissioner stated that there was recognition of this from senior officers and an ambition to make necessary improvements. He gave a commitment to work with Trusts and individual schools in the Borough to drive improvement and leadership. He also observed that coming together in an area could identify where problems arose and help draw on good practice to address concerns accordingly.

Members explored a number of issues with regard to Elective Home Educated pupils ("home schooled") and were assured that data was available and work was underway to analyse trends and good practice, which would be submitted to a future meeting of the Commission (see below). Responsibility for the safeguarding of children who were home educated remained with the local authority.

Clarity was sought on work underway regionally and nationally to support schools with larger numbers of newly-arrived pupils, particularly those who joined the school roll after the standard transfer date, and the challenge of working with transient populations. Members were apprised of the range of approaches taken across the region to mitigate the impact of this and the expectation is that school leaders use their funding allocation appropriately to meet pupils' needs. Following the meeting the Commissioner had written to the Chair in respect of the "census day" (termly collection of details of pupils in every school) and national funding formula. Although there were no plans to make changes to the "census day", the inclusion of an element in the national funding formula to reflect pupil mobility was under consideration.

- ❖ **Rotherham Education Strategic Partnership (RESP) Update**  
The RESP brings together the work of key partners from across Rotherham's education system into a coherent and effective strategic plan. The aim is to maximise outcomes and improve life chances for children and young people, promote inclusion and reduce inequalities, to ensure that no school and no child or young person was left behind. Key priorities identified by the RESP are:- Special Educational Needs and Disability (SEND); Gypsy, Roma and Traveller pupils; Early Years; Primary; Secondary; Post 16; and Social, Emotional and Mental Health (SEMH).

Members probed a number of specific issues including:

- support available for children with SEND or other vulnerabilities
- addressing concerns about the traded offer of services schools could buy in
- dual funding and host schools - a sense of belonging to the community
- home visiting in relation to disadvantaged two year olds
- monitoring Elective Home Education

## Overview and Scrutiny Update

Assurance was given that attainment of more able pupils would feature as a strategic priority for RESP next year but individual schools and Trusts would be addressing the needs of high performing and more able pupils in their own plans.

ILSC requested the evaluation of the Early Years Home Visiting Project for a future meeting. Members also asked for a report in December 2019 to reflect the difference that the RESP is making, with details of the key timelines, milestones and outcomes. This should also include information on the actions taken to boost the performance of high performing and more able pupils

- ❖ **Children & Young People's Services (CYPS) 2018-2019 Year End Performance**  
A summary of performance in relation to Early Help and Family Engagement; Children's Social Care; Education and Inclusion was presented to Members. This outlined areas that were working well and the areas of concern and actions to address these. Data sets were provided to support the narrative.

In response to a query about persistent absence, details were given about the range of interventions in place to support and escalate concerns. Assurance was given that schools took action and raised concerns promptly, and these were monitored closely by the performance leads in Early Help and Family Engagement.

Members inquired if there were any barriers which prevented completion of Early Help Assessments undertaken by partners. Early Help leads were working closely with agencies to clarify the process and levels of involvement and expected the number to increase from the current low base.

ILSC also asked for clarification on the customer feedback measure, on incentives for accessing Children Centres and if a detailed cohort breakdown of young people not in education, employment or training was captured. Activity to benchmark Rotherham with other areas and the current staffing position were also discussed.

- ❖ **Rotherham Multi-Agency Arrangements for Safeguarding Children**  
The Select Commission considered the Rotherham Multi-Agency Arrangements for Safeguarding Children which have replaced the Rotherham Safeguarding Children Board. These arrangements were developed in accordance with statutory guidance, by the three safeguarding partners, in consultation with the wider partnership and became effective from September 2019. The partnership has continued to have an Independent Chair due to additional emphasis being placed on scrutiny and challenge of what partners were delivering.

After a detailed presentation, questions addressed the following issues:-

- Child Death Overview Panel and its functions
- Additional arrangements in Rotherham that went beyond those prescribed
- Ensuring transparency and challenge between partner agencies
- Involvement of schools and powers in respect of school involvement
- Role of the Multi-Agency Public Protection Arrangements (MAPPA) Board
- Information sharing protocols
- Child exploitation in all forms
- Funding after the first year
- Continuation of the wider multi-Board meetings around safeguarding issues



## Overview and Scrutiny Update

Members resolved that scrutiny of the safeguarding arrangements would continue with the Annual Report to be presented. They also requested an update in six months following the implementation and transition to the new process.

- ❖ **Children Missing from Education and Children Missing from Care and Home**  
A short presentation outlined the different legislative frameworks that guide the responses to children missing from care and home and to children missing from education. Reference was made to research which highlighted that missing from care and home could indicate wider safeguarding concerns outside the family. A Missing from Home and Care Scorecard is produced monthly, providing a clear understanding around the Missing Cohort and identifying patterns and trends. Strong links had been established with a range of internal and external partners in relation to Children Missing from Education (CME).

In terms of the increase in new CME referrals, including some recurrent cases, Members were assured that evidence suggests this is largely due to families being transient and then returning to Rotherham, rather than key concerns related to vulnerability and/or safeguarding issues. However, it does have a financial impact on both schools and council services due to the additional resource required to support CME. Looked after children form the largest cohort of missing children and the Return Home Interview (RHI) offers an opportunity to explore why the young person went missing and to reduce future missing episodes.

Clarification was sought on information sharing, particularly in relation to children missing; if any very specific concerns had been identified; and if Child Abduction Warning Notices had been utilised. Further details were required on the increase of numbers of children at risk of CSE who had missing episodes and it was confirmed that there was good oversight in relation to the Missing and CSE teams.

The number of permanent exclusions at primary school has risen and data on exclusions will be provided later in the year as part of the Educational Outcomes report. A further update on progress will also be presented to ILSC as part of its 2020-21 work programme.

- ❖ **Counter Extremism - Work in Schools**  
A briefing paper detailed the proactive work RMBC is undertaking in schools and colleges across the Borough to counter extremist narratives and build the resilience of young people to reject extremism, intolerance and hatred. Positive relationships had been developed with schools and colleges to deliver this initiative sensitively and a number of partners were engaged and committed. Future developments will include work with adults with reference to neighbourhood working and engaging people in dialogues about their communities.

Members asked questions around evaluating the impact of the work, training for school staff, targeting resources appropriately and work with schools that were less engaged. They were assured by the work in schools and colleges but requested an update on counter extremism work in the 2020-21 work programme. This should include an evaluation of the work in schools, further details of work with adults and neighbourhoods, and any specific work with parents and carers. ILSC also asked for a report in 2020-21 outlining how the local authority is meeting its Prevent duty.

## Overview and Scrutiny Update

### ❖ Elective Home Education (EHE)

EHE is the term used to describe a legal choice by parents to provide education for their children at home - or in some other way which they choose - instead of sending them to school full-time. Current guidance from the Department for Education is being refreshed and the Directorate will consult with parents and other stakeholders on a revised policy in due course.

EHE Officers conduct home visits to discuss the education a child in EHE is receiving and review samples of work, progress made and future plans. Where there are concerns about the suitability of the education provided, the officers will discuss alternative options with parents/carers. For example, amendments that could be made to improve the education being provided or returning to mainstream or another education setting. However as there is no requirement to collate and publish data in relation to EHE comparative data is not available.

There has been a rise in the number of parents requesting information about EHE or considering alternatives to current schools. Without sufficient EHE Officer capacity to discuss issues rapidly, local knowledge and school admissions/other service links, many families would have elected to home educate without a full understanding of the implications of this decision or the education options and support available to them, often at a time of crisis. It was highlighted that a small, but increasing number of families had declined EHE Officer visits or refused to send supporting evidence that their child was receiving a 'suitable education'.

Members raised a number of concerns that were discussed at length:

- access to public examinations and potential impact of young people having no formal qualifications
- actions to support improvement
- transition to post 16 education, training or work and adult life
- identifiable trends in the rise in EHE applications
- monitoring progress

Assurance was sought that measures were in place to safeguard children properly and if concerns were raised that these could be escalated appropriately. The importance of building and maintaining relationships with parents within the boundaries of legislation relating to elective home education was emphasised. Parents could refuse access but if safeguarding concerns were raised these would be escalated appropriately.

The Chair reflected on the challenge of parental rights to home educate and the Local Authority's responsibilities for safeguarding. Assurance was also provided about good levels of information sharing between agencies and the EHE team links into the Operational and Strategic Missing Groups.

Another update on Elective Home Education will be provided at the end of the 2019-20 academic year for scrutiny by Improving Lives.

### In October

- ❖ Early Intervention – Implementation of Early Help Strategy
- ❖ Youth Offending Service
- ❖ Persistent Absence from School

## Improving Places Select Commission

### ❖ Update - Agreement between Dignity Funerals Ltd and Rotherham MBC

As part of its continuing scrutiny of bereavement services, IPSC considered the Annual Report from Dignity at its meeting in June. In addition to reporting against the contractual performance indicators, the report updated Members on progress with additional recommendations they had made in February.

Good progress had continued during 2018-19. Only three measures/targets were rated as red – provision of environmentally friendly burial options; future land available for burials; and secure storage for registers and records. Members probed these issues in more detail. Issues with waterlogging on one site were raised as a concern and assurance was given that investigations into the cause of the problem were ongoing.

The outcomes of the pilot to extend the time of the last burial at East Herringthorpe cemetery, which runs until the end of September 2019, will be reported back to the Commission in December following evaluation. Members had recommended that the impact on local traffic of the pilot should be monitored and officers reported that no complaints had been received to date and that monitoring would continue. Explanatory letters about the pilot had been sent out to clergy across the borough in February 2019 as recommended by the Select Commission.

### ❖ Thriving Neighbourhoods - Update Report

The Thriving Neighbourhoods Strategy is framed around three key outcomes which describe what the Council would like to see in each ward across Rotherham:

- Neighbourhoods are safe and welcoming with good community spirit
- Residents are happy and healthy and love where they live
- Residents use their skills and assets to contribute to the outcomes that matter to them

Supporting delivery of the strategy is an implementation plan that is regularly updated, which identifies the following drivers:

- Engage & Develop the Workforce
- Councillors as Community Leaders
- Communication & Engagement
- Asset Based Community Development
- Integrated Place Based Working
- Role of Parish Councils

The Commission considered a detailed report that outlined achievements to date under each of the core drivers, together with an indication of next steps for the coming year. Summaries of ward priorities and individual ward budget profiles showing spending and themes/priorities invested in were also discussed at length.

Questions ensued on a number of issues around the budgets, such as the possibility of being able to bid for any underspend from ward base budgets that would otherwise return to the central pot; capital spend; avoiding duplication with parishes; and decisions by Area Housing Panels. More detail was provided on the Community Sport and Health Apprenticeships and how these roles would not focus solely on neighbourhood working or community development but also work actively



## Overview and Scrutiny Update

with residents, dealing with some of the Council Plan indicators across the Borough and working with partners.

Progress on delivery of the Thriving Neighbourhoods Strategy and the Neighbourhood Working model was noted and IPSC requested guidance regarding spending devolved budgets during the pre-election publicity period.

### ❖ Enforcement Contract - Kingdom/Doncaster MBC

The 'Time for Action' initiative provides a means to deliver enhanced enforcement around enviro-crime, particularly littering and parking offences. Joint arrangements with Doncaster Council have been operational since September 2018 and have delivered enhanced enforcement and greater visibility across various locations.

A report provided an updated position in relation to service performance, together with an indication of challenges being faced. Detailed breakdowns of parking charge notices issued and litter and dog fouling fines and patrols by location were examined.

Members explored a number of practical and operational issues and requested further information in relation to cases heard at the Single Justice Court. A further update in six months was requested as some of the previous recommendations from Scrutiny were still being progressed and delivery overall had been mixed, influenced by software reporting capabilities and contractor staffing turnover.

### ❖ Home to School Transport Update - Implementation of the new policy

Following their previous scrutiny in 2018, IPSC received a further progress update on implementation of the refreshed Home to School Transport Policy. Members learned that annual transport reviews were now undertaken at the same time as Education, Health and Care Plan reviews to assess the suitability of existing transport, and the ability to partake in Independent Travel Training. The targeted uptake for young people on Personal Travel Budgets was on track and 'Train the trainer' Independent Travel training had been delivered.

The briefing also included a response to the two recommendations made by Scrutiny:

- To consider looking into the use of contactless cards on buses to support independent travel by young people who might have less visible support needs, such as autism.
  - SYPTE advised officers that 'journey cards' were available for travellers which could be shown to bus drivers when boarding the vehicle to inform them of a disability. The cards covered a number of disabilities that were not always recognised by sight and where the driver might be able to provide support to enable the person to travel independently. SYPTE will be happy to work with the Council to develop cards to cover disabilities or activities that were not already covered.
- To reconsider the appeals process for the renewal of a home to school bus pass in cases where a family's circumstances had not changed from the previous year.
  - The need for young people to apply each year is enshrined within the Policy but the service reviewed the appeals process and will issue guidance saying that if circumstances have not changed year on year, a pass could be granted on the basis of exceptional circumstances without recourse to the

## Overview and Scrutiny Update

appeal process. Should any change in circumstances occur a full reassessment would take place in accordance with the Policy.

### ❖ Rotherham Employment and Skills Strategy 2019-2025

The strategy was approved by the Rotherham Together Partnership in April 2019, with implementation under way, overseen by the Employment and Skills sub-group of the Business Growth Board. IPSC was updated with regard to progress on mapping and identifying existing employment and skills provision; development of a detailed delivery plan; schools' involvement with the Business Growth Board; and the launch of Skills Bank 2 and Skills Support for the Workforce to provide funding for businesses to train and upskill their existing workforce.

When the draft strategy had been considered by OSMB during pre-decision scrutiny a number of issues had been raised and the report set out a response to each of these issues. The Equality Analysis had been updated and although a more detailed action plan was being developed this was likely to be in Quarter 1 of 2020. Use of colours in the document was again raised as a concern for some readers.

Members inquired about plans for working with specific cohorts of people such as people with learning disability, carers and women. They also explored funding streams, ways of encouraging more businesses to become involved and links with schools. An update will be provided to Rotherham Youth Cabinet in November on how their recommendations for improving opportunities for quality work experience are being progressed through the strategy.

Follow up information was requested on a number of issues and the comments from IPSC will be fed back to RiDO and the Employment and Skills sub-group. Members also asked to see the outcome of the mapping exercise of present employment and skills provision and the detailed action plan once finalised. A future update on implementation will be scheduled for 2020.

[Response to Joint OSMB and IPSC Scrutiny Review: Modern Methods of Construction](#) – see OSMB

### Other activity

#### ❖ [Workshop on Council Plan Performance Indicators](#)

A short session familiarised the Commission with all the performance indicators that fall within its remit under Priorities 3 and 4 of the plan. In line with the new approach to scrutiny of the Council Plan, the particular focus of the discussion was on areas of underperformance and also to identify any potential issues to include in the work programme.

#### ❖ [Briefing on Worksmart](#)

As part of their ongoing scrutiny of Asset Management, a short briefing paper on Worksmart was shared with IPSC. This workstream looks at the use of modern, agile and flexible working principles and supporting technologies to make best use of the estate. It also links in with wider transformation initiatives and supports a number of key plans.

### In October

- ❖ [Visit to RotherFed](#)
- ❖ [Allotments Self-Management](#)
- ❖ [Traffic Impact from Waleswood Caravan Park](#)
- ❖ [Workshop - Area Housing Panels Review](#)

**Council – 30 October 2019**

**Report Title**

Children's Commissioner's Takeover Challenge Scrutiny Review: Young Carers

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

No

**Strategic Director Approving Submission of the Report**

Shokat Lal, Assistant Chief Executive

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**Ward(s) Affected**

Borough-Wide

**Report Summary**

This report outlines the findings and recommendations following a spotlight review undertaken by Rotherham Youth Cabinet, together with Rotherham Young Carers Council, regarding improving access to leisure opportunities for young carers in Rotherham.

The report is presented for information to share the review findings with the wider membership of the Council. Following this meeting, the Cabinet will be required to respond formally to the recommendations and indicate agreement or otherwise and what action will be taken to implement the recommendations, together with details of timescales and accountabilities. External partners will also be involved in developing the response.

**Recommendations**

1. That the report and recommendations in respect of the review of Young Carers be noted.
2. That the response of Cabinet be reported back to Overview and Scrutiny Management Board and Rotherham Youth Cabinet.

**List of Appendices Included**

Appendix 1 Report - Children's Commissioner Takeover Challenge Scrutiny Review: Young Carers

**Background Papers**

Notes from Children's Commissioner's Takeover Challenge – 2 April 2019

Rotherham Youth Cabinet Manifesto 2019

Others referred to in Appendix 1

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Overview and Scrutiny Management Board – 11 September 2019

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Children's Commissioner Takeover Challenge Scrutiny Review: Young Carers**

### **1. Background**

- 1.1 The Children's Commissioner's Takeover Challenge (CCTOC) is a national initiative where children and young people take over an organisation or meeting and assume management/leadership roles. As part of RMBC's commitment to the CCTOC, each year the Overview and Scrutiny Management Board (OSMB) supports Rotherham Youth Cabinet (RYC) in undertaking a focused piece of work on a topic chosen by the young people.
- 1.2 RYC chose young carers as the theme for this year's takeover challenge, as it is one of the key priorities in their manifesto for 2019, and worked closely with Rotherham Young Carers Council on this review.

### **2. Key Issues**

- 2.1 Many young people provide a significant number of hours of care each week, which may impinge on both their school and social lives. Given the value of respite from caring for all carers, it is vital that young people are able to have access to leisure activities and to have fun.
- 2.2 Financial considerations need to be taken into account as many families with young carers are on low incomes. As such, access to discounted or free activities is important, either through developing a new offer or building on what is already in place. Concessionary travel to go to activities is another aspect to consider.
- 2.3 Cabinet Members, officers and partners were keen to develop an improved offer for young carers and committed to take back a number of points for discussion, as shown in section 5 of the review report.

### **3. Options considered and recommended proposal**

- 3.1 In light of their findings, RYC developed the recommendations contained in pages 8 and 9 of the review report. In summary these focus on:
  - an improved offer of discounted access to leisure activities for young carers
  - clear eligibility criteria
  - support to travel to activities
  - good promotion and publicity
  - identification of young carers and support

### **4. Consultation on proposal**

- 4.1 Recommendation 1 is that RMBC and partners engage with young carers during 2019 to develop a priority list of activities.

### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 It is anticipated that the formal response to the recommendations will be reported back in January 2020.

**6. Financial and Procurement Advice and Implications**

- 6.1 None arising directly from this report, although RMBC and partners will take account of any such implications in developing their response, particularly in relation to discounts and concessions..

**7. Legal Advice and Implications**

- 7.1 None arising directly from this report.

**8. Human Resources Advice and Implications**

- 8.1 None arising directly from this report.

**9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 The intention of the review was to impact positively on young people who are carers, through enhancing opportunities for access to leisure activities.

**10. Equalities and Human Rights Advice and Implications**

- 10.1 The recommendations aim to address some of the issues young carers may experience in accessing leisure activities compared with other young people who do not have caring responsibilities.

**11. Implications for Partners**

- 11.1 A collective approach from the Council and other partners will be necessary to enhance what is available for young carers to access and to determine eligibility criteria.

**12. Risks and Mitigation**

- 12.1 None at this stage.

**13. Accountable Officer**

James McLaughlin, Head of Democratic Services and Statutory Scrutiny Officer

This report is published on the Council's website or can be found at:-  
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

## Children's Commissioner's Takeover Challenge Scrutiny Review: Young Carers



April 2019

Rotherham Youth Cabinet Review Group:

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Adiba Bi	Omair Kasim
Amariya Bi	Sundas Raza
Josie Brown	Amaan Saqlain

Rotherham Young Carers:

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## 1. Why Rotherham Youth Cabinet wanted to undertake this review

A core aim in the 2019 manifesto for Rotherham Youth Cabinet (RYC) was:

*“We want to work alongside the Young Carers’ Council to ensure young carers have the same opportunities as adult carers in accessing free activities whilst in their caring role.”*

This explicitly refers to access to activities when the young person is in their caring role. However, a further consideration raised by the young carers, reinforced by services working with young carers, was the need for opportunities to provide a respite from caring, enabling young carers just to have fun as young people.

These issues led to the selection of young carers as the theme for the Children’s Commissioner’s Takeover Challenge<sup>1</sup> (CCTOC), which is an annual event that Rotherham MBC has supported in its various guises since 2007 when it was known as the 11 Million Takeover Day. The idea is that:

*“It puts children and young people in decision-making positions and encourages organisations and businesses to hear their views. Children gain an insight into the adult world and organisations benefit from a fresh perspective about their work.”*

(Children’s Commissioner for England, 2015)

## 2. Method

A spotlight scrutiny review was undertaken by a group of young people from RYC on 2 April 2019 when they took over an Overview and Scrutiny Management Board (OSMB) meeting. Members of Rotherham Young Carers Council also participated in the review and preparation in advance.

Representatives from the two groups set the context through a short presentation, followed by a focused question and answer session, chaired by Emilia Ashton. The young people explored the current offer for adult carers and young carers, in Rotherham and across South Yorkshire. Key issues regarding access to leisure activities for young carers and how important such activities are for their wellbeing were discussed at length, with constructive challenge given to Cabinet Members, officers and partners from sport, leisure and transport.

Prior to this RYC had researched initiatives in other parts of the country to support young carers and facilitate their participation in sport and leisure activities, providing respite from their caring role. Examples were presented and discussed at the meeting.

A planning meeting was held to discuss the focus for the review and determine which officers and partner organisations RYC and the Young Carers wished to invite as witnesses. The young people devised questions based on their key lines of enquiry and to reflect their research findings and concerns. The Early Help and Family Engagement Team facilitated this work with support from Scrutiny Services and Cllr Steele.

RYC and OSMB would like to thank the young carers, Members, officers and partners who attended for their participation in this review and for their contributions to the discussion on this important issue for young people.

### 3. Context

Many young people provide a significant number of hours of care each week, both nationally and locally, which may impinge on both their school and social lives. The Carers Trust<sup>2</sup> reported that 48% of young carers said their caring role made them feel stressed and 44% said it made them feel tired. Given the value of respite from caring for all carers, whether adult or young carers, family income is also a factor in people being able to access leisure activities (see bullet four below).

#### Facts about Young Carers

##### Nationally

- ❖ 166,363 young carers in England (Census data May 2013)
- ❖ 1 in 12 young carers are caring for more than 15 hours per week
- ❖ Around 1 in 20 young carers miss school because of their caring responsibilities
- ❖ Average annual income for families with a young carer is £5,000 less than in families who do not have a young carer

##### In Rotherham

- ❖ 450 carers aged under 16, with 365 providing care for under 20 hours per week and 85 for over 20 hours per week
- ❖ 1,549 carers aged 16-24 , with 1,012 providing care for under 20 hours per week and 537 for over 20 hours per week
- ❖ Of all carers aged under 25, 1,147 (57%) were female and 850 (43%) were male

(Source: Carers' Strategy)

#### 3.1 Rotherham Carers' Strategy

*Caring Together The Rotherham Carers' Strategy 2016-2021* recognises that in Rotherham informal carers are an invaluable part of the health and social care economy, and that enabling them to continue in this role is vital. The strategy highlights the importance of identifying and supporting all carers, including young carers and hidden carers. Within the strategy are actions around highlighting young carers' issues with professionals and schools in recognition of the impact of being a young carer. Partners are also aware that a number of hidden young carers are out there so they are raising awareness with GPs and health professionals.

The following definition of a carer is used:

*"A carer is anyone who provides unpaid support to a friend or family member who due to illness, disability, a mental health problem or an addiction cannot cope without their support."*

Within the strategy partners are working towards achieving six broad outcomes for carers, with three of these being in relation to young carers. There is a specific aim:

*“That every young carer in Rotherham is supported to have a positive childhood where they can enjoy life and achieve good outcomes.”*

### **3.2 Rotherham Young Carers Service**

This service is commissioned by the Council from Barnardo’s who work with young carers aged 8-18 years, offering guidance and support around issues for young carers and to stop inappropriate caring roles, and to reduce the negative impact caring roles have on a child or young person’s ability to enjoy a healthy childhood.

One potential gap identified during the CCTOC discussion was support for young carers under the age of eight. Although there are carers in Rotherham who are younger than eight, and the service has worked with very young carers, they are not referred to the service as they do not meet the criteria.

### **3.3 Rotherham Young Carers Council**

At the time of the CCTOC the Young Carers Council had seven members. The young people meet monthly to discuss future plans and how to raise awareness of the young carer service. They do this by attending events and participating in surveys to give their views on current services. Their aim is to be a voice for other young carers in Rotherham and to shape decisions and service delivery that will impact on young carers. They also have some opportunities for access to respite and to meet other young carers and have fun in activity sessions, although this is limited by available funding.

The awareness raising has had a positive impact as the annual Rotherham Voice of the Child Lifestyle Survey in 2018, with year 7 and year 10 students, showed 47.2% of young carers had heard of the young carers’ service, compared with 37.3% in 2017.

## **4. Findings**

### **4.1 Current Carer Offer in Rotherham**

One of the questions raised by RYC was the possible lack of parity between what is in place for young carers and adult carers, with a perception that there was more available for adult carers to access. Local support groups for carers seem primarily for adult carers, often linked to specific health conditions. These groups tend to meet during the day and may be joint for carers and the people for whom they provide care, or carer peer groups. The Connect to Support Rotherham website and Voluntary Action Rotherham Gismo directory contain information for carers and details of local groups. Examples of activities offered include coffee mornings, day trips, craft sessions, guided walks, nail painting, exercise sessions, evening meals out for all the family and complementary therapies.

Many discounts or offers for carers are specifically when they are in their caring role, accompanying the person for whom they provide care, rather than as respite. For example the national CEA card scheme for UK cinemas enables a disabled cinema goer to receive a complimentary ticket for someone to go with them when they visit a participating cinema. Eligibility criteria are also frequently linked to benefits, for example Personal Independence Payment (PIP) or Disability Living Allowance (DLA). Not all offers are currently available to young carers.

### **Travel pass**

If a disabled person meets the qualifying criteria in relation to benefits they may apply for a special pass with a 'plus C' logo that allows one carer to travel with them for free within South Yorkshire. The carer can be an adult or young carer.

### **Rotherham United**

A concessionary price is offered to a supporter who qualifies for high rate DLA or enhanced PIP, plus an additional free carer if required. This is currently for an adult carer but the club has agreed to look at extending this to young carers.

Through the Community Sports Trust a number of free projects are running with different funding pots and aims and they have previously linked in through Children in Need and National Citizenship Scheme (NCS) projects. It was a case of linking in better with young carers as there were a number of current activities people could get involved in.

### **Rothercard**

This longstanding Council scheme is currently undergoing an in-depth review, involving OSMB. At present, providing certain eligibility criteria are met, Rothercard entitles people to a concessionary rate on a range of activities at the four leisure centres, Rotherham theatres and at selected leisure venues across South Yorkshire. A Junior Rothercard rate was also introduced on some sporting activities for under 16's.

Currently if people have a carer or paid personal assistant, they may apply for a 'One for One' sticker to be placed on the front of their Rothercard. This gives the carer free entry to leisure facilities and discounted rates at Rotherham Theatre when accompanying the person for whom they provide care.

It was agreed that the CCTOC was timely to look at potential options and incorporate some of the work young people had already done on best practice in the review. It would be helpful to learn how other local authorities were managing initiatives, through grants and funding regimes and how it was brought together. Money will be a factor in what discounts are offered and where and it is a case of how clever RMBC can be as a Council and with partners. Sustainability is crucial whatever results from the review as it is a big disappointment for people when schemes end or the money comes to end.

OSMB agreed to involve either a young carer or a RYC member in the review of Rothercard to contribute their views and ideas.

## **4.2 Initiatives for Young Carers in Other Areas**

RYC had researched what is happening elsewhere to support young carers and outlined examples of positive initiatives in Fife, Luton and Doncaster. Various these included discounts on goods and/or free or reduced cost access to sport, gym and leisure provision. Appendix A has more details about these projects. RYC also made a valid point that on a wider scale ideally there should be universal access for young carers to such initiatives rather than them being limited to a few areas in a so called "postcode lottery".

Of particular interest was the Young Carers Travel and Leisure Access Pilot in Sheffield for reduced rates for travel and leisure activities during the 2018 summer holidays. The summary evaluation report and learning from the pilot were shared at the CCTOC. Representatives from Sheffield Young Carers, South Yorkshire Passenger Transport Executive (SYPTTE) and Places for People Leisure who had all been personally involved were present to talk about the pilot and answer questions.

Next steps would be a wider roll out in 2019 with 200 cards this year which should reach a lot of young carers, but not all. A carer card for both adult and young carers, similar to DNA in Doncaster is being introduced with various discounts in places like Star/Jump which should hopefully increase access.

People in Sheffield had stressed the importance of travel as well as leisure access because if someone is unable to get to an activity then it does not really work on its own. Costs of public transport to travel to activities were cited as a barrier for some young carers. SYPTE worked with Sheffield Young Carers to set up the pilot scheme with free travel offered in the school holidays by loading it on to smartcards, either a Megatravel or a 16-18 pass. One of the barriers had been that young carers had to travel to kiosks or interchanges to activate the passes and going forward SYPTE would consider a monthly pass which would only need activating once.

#### **4.3 Possibility of a South Yorkshire Initiative**

With a scheme in place in Doncaster and proposals for a similar scheme in Sheffield, the young people enquired about the possibility of introducing something South Yorkshire wide. The general view was that at this stage it was probably advisable to focus on developing Rotherham's offer as this would be done more quickly. However, it was recognised that going South Yorkshire wide would eliminate issues for young carers who live on the border of neighbouring authorities with differing offers. RYC will raise the issue with the Mayor of Sheffield City Region.

NCS was trialled in Sheffield last year but the residential element is a challenge for young carers in having so much time away from home. Sheffield Young Carers were trying to work with local providers on a more tailored model and that might be something that could also be looked at more widely.

#### **4.4 Becoming Young Carer Friendly**

The consensus was that the best way for organisations to become more young carer friendly was through dialogue with young carers and getting feedback from them to inform how services are delivered. It is important that any such meetings are young people friendly and not intimidating so that people can put forward their views and ideas.

Places for People had heard about the personal experiences of some Sheffield young carers - what they go through and why they enjoy respite, which was educational for those delivering or potentially delivering activities. An open invitation was extended to partners to attend Rotherham Young Carers Council, which meets on the last Thursday of every month.

#### **4.5 Costs**

Further work would be needed to calculate if there would be any actual increased cost or lost income from offering discounted or free access to leisure activities or travel. For example, free bus travel to access an activity was not actually a cost or lost fare but rather giving someone access to a bus they would not otherwise have caught, unless they displaced a fare paying passenger. Or if three extra people go swimming that is not lost income or a direct cost to the organisation as there is no additional cost in providing them with access to the session in the pool. The key is the marginal cost of an additional user which may be small providing they do not displace a full cost individual. Administrative costs for running leisure or travel card schemes such as those in the Sheffield pilot would need to be factored in.

#### **4.6 Discounts and Concessions**

Sport and leisure providers at the meeting were open to exploring discounts and new initiatives for young carers, subject to identifying funding, and to link young carers in better with existing activities. For example, when Rotherham Titans Community Foundation works with schools children are automatically given a free ticket and plans to extend that next year.

Various scenarios for providing free travel for young carers in Sheffield, both for all young carers (estimated to be 7,300) and for 100 young carers aged 12+ during their 12 months with Sheffield Young Carers Service had been developed by the service. These scenarios included full year, all school holidays and summer holidays only, calculated by using the price of the 28 day Get About Pass or the weekly pass as appropriate. Estimated costs ranged from £2.9m plus administration for all young carers for a year, to £5,000 plus administration for 100 young carers in the summer. A further option was to look at developing a zero fare pass where travel companies would invoice SYPTE for any completed journeys using the pass. The figure of 7,300 was based on research that found 1 in 12 children and young people have caring responsibilities. See Appendix B for more details of all scenarios.

Any permanent free travel concessions would have to be offered across the whole of South Yorkshire by SYPTE and the potential costs were very high when extended to all four local authorities. It was agreed that it would be useful to know more on the numbers and costs with a breakdown for each of the areas and especially for Rotherham. The possibility of local authorities earmarking specific monies from their budgets to SYPTE was raised and the need to consider both the costs and benefits of initiatives for young carers.

Following the CCTOC, SYPTE provided Scrutiny with costings for providing South Yorkshire Young Carers with a zero fare pass. These were based on an assumption of 0.56% of South Yorkshire's young population being young carers but further detail was not provided on how this percentage had been derived. This equated to 7,700 individuals, which, using other assumptions, would generate an annual cost of approximately £1.3 million. SYPTE costings included the additional re-imbursment to transport operators through the child concession. In contrast, Sheffield Young Carers Service had calculated 7,300 carers for Sheffield alone, indicating the need for clarity on who would be included as a young carer.

#### **4.7 Identifying Young Carers**

As the Carers' Strategy recognises, further work is needed to identify young carers and hidden carers of all ages. For the pilot in Sheffield SYPTE had been uncertain about who would be classed as a young carer in the absence of specific criteria, compared with eligibility for a disabled travel pass, for example, which was clear as people were assessed by their local authority. Sheffield partners had considered that having a young carer's assessment would work as the criterion. Eligibility criteria for any initiatives for young carers in Rotherham need to be determined by partners.

#### **4.8 Publicising Opportunities**

Following from the question of parity between adult and young carers it was highlighted that with information about discounts for carers the normal assumption is that they are for adult carers, so people need to know clearly if it means all carers, including young carers. Communications need to demonstrate that offers encompass all ages and are promoted in a child-friendly way so young people understand what is available for them to access.

#### **4.9 Safety**

The travel access issue needs to be thought through fully because of the age of some of the younger carers and potential safeguarding issues with regard to travelling on their own. Scenarios for Sheffield had been developed on the basis of travel passes for young carers aged 12+.

#### **5. Agreed Actions**

During the question and answer session RMBC and partners committed to take back a number of points and discuss them further, either within their own organisations or more widely at partnership fora. These were:

- More dialogue to take place with young carers on what they would like to see in Rotherham.
- Linking the issues raised to the review of Rothercard as this was very timely.
- Places for People were happy to replicate the Sheffield initiative for young carers in Rotherham if that would be something they would be interested in and to set up cards for discounted rates (20% in Sheffield).
- Raising the issue of access to leisure activities with all providers in the Rotherham Active Partnership.
- Rotherham United agreed to consider new projects and discounts, in addition to linking in better with existing activities that young carers could be involved in.
- Considering discounts at Rotherham Civic Theatre for young carers.
- Rotherham United to consider extending the adult carer free ticket initiative to include young carers.
- Approaching Sheffield Steelers regarding free tickets for Rotherham young carers as with the Sheffield Young Carers.
- SYPTE will discuss the points raised regarding travel and travel costs, such as costed options for various scenarios in Rotherham as they had done in Sheffield.
- Places for People confirmed they would accept young carer discounts across South Yorkshire in their leisure facilities and would also introduce anything developed in Rotherham in their three Sheffield sites, but do not operate in Doncaster and Barnsley.

#### **6. Conclusions**

As seen in section 5, it was evident that the organisations at the CCTOC meeting were keen to look at ways of improving opportunities for young carers to access discounted or free activities to give them a vital break from caring. The importance of aligning this with concessionary travel was also emphasised from a financial perspective as many families with young carers are on low incomes.

The immediate starting point needs to be more in-depth conversation with young carers to understand their needs better and to pinpoint a small number of priority activities they would like to be able to participate in. Although it is positive to have whole family initiatives, or ones for the cared for person and the young carer together, the need for respite and to enjoy leisure time with other young people should not be overlooked. Actually having time for leisure activities may also depend on the availability of alternative care to allow young carers to have a break, as some young carers reported that their caring responsibilities precluded them from participating in the Sheffield pilot.

Various positive ideas emerged during the meeting, although further work is needed by the Council to explore with partner agencies what might be possible either to extend to young

carers (if not already included) or to develop for young carers. This might include linking in with other activities already taking place, for example at Rotherham United and Rotherham Titans. It could also be through the wider network of sport and leisure activity providers across the Rotherham Active Partnership as well as Places for People Leisure. Evaluation of current projects and what can be learned from them and built on for the future is important. Eligibility criteria for who is classed as a young carer will need to be jointly agreed by the Council and partners.

Rotherham libraries already provide activity sessions for children and young people including school holiday and after school reading and craft activities, Lego clubs, code clubs and reading groups, which could be another potential area to explore further.

Budget and resource implications of potential initiatives will need to be calculated and considered by the Council and partners, as any schemes need to be sustainable in the longer term rather than time limited. It was stressed that discussion should not focus purely on costs but should include cost benefit analysis given the savings to adult social care from the informal care provided by carers and the need to support all carers' health and wellbeing. There was discussion on whether providers incurred actual costs or lost income from offering free leisure or travel access but some initiatives are likely to involve administrative costs to implement and oversee.

At the time of writing this report, the Department of Health and Social Care had recently announced a £5 million funding pot The Carers Innovation Fund to improve support for carers which may be worth consideration.

Wide promotion and communication in a child-friendly style will be a key aspect of the future offer for young carers so they know about the activities available and that partners are involved and committed.

## **7. Recommendations**

- 1) That RMBC and partners engage with young carers during 2019 to develop a priority list of activities that young carers in Rotherham would be interested in participating in.
- 2) That RMBC and partners work together to develop an improved and sustainable offer of discounted access to leisure activities for young carers from 2020.
- 3) That in developing this improved offer RMBC and partners also consider support for young carers to travel to leisure activities, including concessionary fares and travelling safely.
- 4) That RMBC and partners agree clear eligibility criteria for young carers for future initiatives.
- 5) That the new offer for young carers is communicated and well publicised by the Council, partners and schools.
- 6) That information and publicity for any current activities that are open to both adult and young carers is updated by the end of 2019 to make it clearer who is eligible. Ideally this should be in a well promoted single point of access so it is easy for everyone to find the information.



- 7) That work continues through the Carers Strategy Action Group to identify other young people who are young carers and for partners to consider ways to support young carers aged under eight who do not meet the criteria for the Young Carers Service.
- 8) That progress on developing and implementing the new offer is reported to Rotherham Youth Cabinet and OSMB during 2020.

## 8. Thanks

Councillors Alam, Allen, Clark, Cooksey and Watson

RMBC: Helen Barker, Sarah Bellamy, Andrew Burgin, Pepe Di'Iasio, Sean Hill, Shokat Lal, James McLaughlin, Toni Paxford, Luke Sayers, Chris Siddall, Jon Stonehouse, Paul Woodcock and Nathanael Zytowskiak

Nicola Bladen, South Yorkshire Passenger Transport Executive (SYPTTE)  
Kevin Hynes, Yvonne Kenyon and Ann Levick, Barnardo's Young Carers  
Lindsay Jones, Rotherham Titans Community Foundation  
Emily Newman and Mark Rawding, Places for People Leisure  
Emma Schofield, Rotherham United Community Sports Trust  
Laura Selby, Sheffield Young Carers Project and Dua'a, Sheffield Young Carer

Thanks also to other members of Rotherham Youth Cabinet and Rotherham Young Carers Council who were involved in the preparation for the spotlight review.

## 9. Background papers and references

Agenda Papers and Minutes from OSMB Children's Commissioner's Takeover Challenge meeting on 2/04/19  
Rotherham Youth Cabinet Manifesto 2019  
Evaluation Report from Sheffield Young Carers Summer Holiday Pilot

### References

1 Children's Commissioner's Takeover Challenge  
<http://www.childrenscommissioner.gov.uk/learn-more/takeover-challenge>

2 *Invisible and In Distress: Prioritising the Mental Health of England's Young Carers* (Carers Trust 2016)

### Contact

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## Appendix A      **Summary of Young Carer Initiatives in Other Areas**

### **Fife**

In a three year scheme that ran until March 2019 young carers had access to a free leisure pass which helped them to be more physically active. Different activities were offered dependent on age:

- Under 14 - free swimming
- 14-17 - free gym and swim
- 18+ - free gym, swim, fitness suite and health classes

Regular evaluation was carried out and a survey of 32 young carers shared with RYC showed most used the pass weekly, it had encouraged them to be more physically active and had allowed them to spend time with friends. One young carer said:

*“With this I am able to have some alone time when I need it, build up my self-confidence and take time out of my caring role ...”*

### **Luton Active Young Carers’ Card**

This card allows young carers aged 11-18 to take part in different sports activities including swimming, badminton, table tennis, gym, foot golf and pitch and putt at a fraction of the standard cost. A young carer may participate in ten activities for £1 each time (card price £10). When the card is finished, another can be applied for up to a maximum of 3 in total. This gives young carers the opportunity for activities with friends and other young carers.

### **Doncaster DNA Card**

This card gives young carers discounts on high street brands and iTunes, reduced cost train travel and access to discounted activities such as the cinema, skating and bowling. It also allows young people to identify themselves as a Young Carer to teachers or professionals as well as allowing them to explain how they are feeling without words through a traffic light system.

### **Sheffield Young Carers Travel and Leisure Access Pilot**

Places for People and Sheffield International Venues (SIV) put on activity days for young carers in June 2018 and also offered members of Sheffield Young Carers (SYC) free swimming, tennis and ice skating during the six-week summer holidays, as well as discounted leisure access for a whole year. SYPTE offered free bus and tram travel to SYC members during the school summer holidays. Two schools, Firth Park Academy and Meadowhead School, agreed to be involved in the pilot to explore ways to increase access to respite for young carers who are not SYC members.

19 young carers applied to participate in the free travel scheme, which was offered over four weeks of the holidays, with 35 weekly passes activated by 18 individuals. 16 young people attended the Places for People open day and 11 applied for annual passes. 15 leisure sessions were accessed at their venues during the summer - six swims, three gym sessions and six free tennis sessions. Nine young people attended the SIV open day and 23 applied for annual passes.

Feedback was received from eight of the young carers who had participated in the pilot and a majority said the passes helped them to - get a break from their caring; feel less stressed; see their friends more than normal; do more exercise than normal and feel healthier in body or mind.

Appendix B

**Costing options developed by Sheffield Young Carers Service for roll-out of free travel scheme for young carers in Sheffield**

Option 1: Free travel for all young carers in Sheffield for one year  
28 day Get About Pass - £33.20 x 12 months = £398.40  
X 7,300 young carers in Sheffield<sup>1</sup>

TOTAL: £2,908,320 plus administration costs to include estimated 2 FTE staff

Option 2: Free travel for all young carers in Sheffield during school holidays (the most isolated and difficult times for young carers)  
Weekly Pass – £8.30 x 13 weeks = £107.90  
X approx. 7,300 young carers in Sheffield

TOTAL: £787,670 plus administration costs to include estimated 2 FTE staff

Option 3: Free travel for young carers accessing Sheffield Young Carers Service (SYC) during their 12 months in the service  
28 day Get About Pass - £33.20 x 12 months = £398.40  
X 100 SYC members aged 12+ (younger members unlikely to be able to travel independently)

TOTAL: £39,840 plus administration costs to include estimated 0.1 FTE staff

Option 4: Free travel for young carers accessing SYC during school holidays in their 12 months in the service  
Weekly Pass – £8.30 x 13 holiday weeks = £107.90  
X 100 SYC members aged 12+ (younger members unlikely to be able to travel independently)

TOTAL: £10,790 plus administration costs to include estimated 0.1 FTE staff

Option 5: Free travel for young carers accessing SYC during the six-week summer holidays in their 12 months in the service  
Weekly Pass – £8.30 x 6 summer holiday weeks = £49.80  
X approx. 100 SYC members aged 12+

TOTAL: £4,980 plus administration costs to include estimated 0.1 FTE staff

Option 6: Development of a zero fare pass where travel companies invoice for any completed journeys using the pass.

Further research would need to be done to measure the average number of journeys young people take using the passes. This would then show whether the costs of developing and funding zero fare passes for young carers would be more cost effective than issuing weekly / monthly passes.



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Councillor Cowles



Councillor Short



Councillor Turner

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## SITWELL WARD—PRIORITIES AND RESPONSES

### Previous priorities for Sitwell in 2018/19 included

#### Priority 1 - Work with statutory and voluntary partners to develop a response to Crime and Anti-Social Behaviour (ASB), especially 'Nuisance Youths'

##### Duke of Norfolk estate

- Sitwell and Boston Castle Councillors worked together on a tasking group involving residents, Police, Community Safety and Neighbourhoods services in response to community concerns regarding the high number of burglaries
- As a result, ward budget funded CCTV and barriers on the estate



Duke of Norfolk residents were given a special award by the Police Crime Commissioner for the pro-active work they did including establishing a WhatsApp group with over 150 residents

##### Cowrakes Lane bus shelter

- Following community concerns & site visits with Councillors, Neighbourhoods and South Yorkshire Police, ward budget funding was used to remove a disused bus shelter on Cowrakes Lane which had become an anti-social behaviour hot-spot
- Positive feedback has been received from the local community as a result of this

#### Priority 2- Work with partners to address environmental issues, including supporting litter picks

##### Fly tipping on Doles Lane

- Doles Lane was a prime spot for fly-tipping. Councillors worked with the Council, local residents, and the Parish Council to get the lane re-classified to restrict vehicle access
- Ward budget contributed to the re-classification costs and steel barriers have now been installed at both ends of the lane
- As a result, there has been no reports of fly tipping since





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### Priority 3 - Work with partners to develop a response to speeding cars

- Councillors worked with the Council and South Yorkshire Police to conduct a Speed Survey and to re-deploy illuminated speed signs around the ward
- Ward budget allocated to purchase 1 new Illuminated Speed sign to be placed in Sitwell ward



### Sitwell Ward priorities 2019/20

**Priority 1 –Address isolation and loneliness, especially amongst those aged 65+ years**

#### The Bird Box project



- Ward budget funded social enterprise Casting Innovations to create and construct 150 bird boxes with Newman School for the residents of Sitwell ward
- Casting Innovations will be installing these at chosen properties throughout the ward and the rest will be available for local residents to collect at a small celebration event

#### Shopping project

- Councillors have met with Newman School to look at the possibility of running an inter-generational shopping project where students will assist local residents who need support with collecting their food shopping

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## Supporting local groups

- Councillors are supporting local coffee mornings and Knit & Natter groups to promote the importance of socialising with local communities.

### Priority 3 - Work with Yorkshire Water, the Environment Agency and the Council's Streetpride service to reduce the number of and mitigate the impact of flooding incidents

- Local Councillors are working closely with the Council, Yorkshire Water and the Environment Agency following concerns raised by residents about the cleanliness of the water flowing through Whiston Brook
- Discussions and visits to the brook are focusing on the capacity of the current public sewerage system in the area, and the maintenance schedule for the station



### Priority 4 - Support new and existing groups

#### Work with local schools

- Ward budget provided funding to Whiston Worrygoose School for a fence to stop litter being thrown into the schools wildlife area
- Donated 400 spring bulbs to local schools to be planted with the support of Councillors and Sitwell Rotary Club

#### Whiston Cricket Club nets

- Ward budget funded new nets for Whiston Cricket Club to enable more community members to be able to join and to replace current nets

#### Broom Lane Methodist Church Parent & Toddler group

- New tables, chairs and play equipment were able to be purchased as a result of funding from the Sitwell ward budget
- As a result of this, more parents & toddlers can join the group and there are more equipment to enable toddlers to learn and play





# Swinton Ward

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Councillor Stuart Sansome (01709 875335 - 07917 641666)

Councillor Ken Wyatt (01709 583073 - 07951 786561)



Councillor  
Cusworth



Councillor  
Sansome



Councillor  
Wyatt

PUTTING COMMUNITIES AT THE HEART OF EVERYTHING WE DO

## Swinton Ward Report

### Defibrillators

The Swinton Ward has supported the expansion in the number of defibrillators available. As a result defibrillators are now available at Brookfield Academy, Swinton Lock Activity Centre, Swinton Community Sports Ground Trust and Train Station Interchange in addition to the one at Swinton Library.



### Community Skips and Litter Picking



In the Swinton Ward we have worked very closely with our Housing Officers to support Community Skip Days in a number of locations throughout our ward. Match funding from the Swinton Ward budget has enabled skips to be provided in new areas which has been greatly welcomed by local residents. We also undertake community litter picks alongside community groups and volunteers.

### VC Centenary

September 2018 was a special time for Swinton being 100 years since Lance Corporal Thomas Jackson of the Coldstream Guards was awarded the Victoria Cross. The Ward budget enabled a variety of enhancement works at the Swinton War Memorial site ahead of an event to remember in Swinton's history. Led by South Yorkshire Polices Horses the parade included around 12 standards from the British Legion and other veteran's organisations. Representatives of the Coldstream Guards from Windsor Barracks, many former service personnel, Swinton Queen Primary School pupils and local residents all attended. The Parade started at Queen Street car park and concluded at St Margaret's Church where a service was led by Bishop Pete of Sheffield. The attendees then assembled at the War Memorial for the laying of wreaths



### Resident Engagement

Swinton Ward outreach surgeries have been arranged at Charles Street Community Centre, Potteries Court and Highfield Court. Councillor Cusworth also visits local residents with her dog Polly as part of her befriending work. Schools in the ward are visited for regular question and answer sessions including the Debating Society at Swinton Academy.



### Road Safety Work With Schools

A lot of work has been undertaken with schools throughout the Swinton Ward regarding road safety which the ward budget has assisted with. Six signs have been purchased for schools placed at school entrances to remind drivers to be cautious where they park their vehicles. Match funding has been provided from the ward capital budget to enable 20mph signs to be placed on Lime Grove, Swinton near Brookfield Academy. The ward budget has also supported the Active Travel project to



encourage children to get to school by other means than by car. Scooters have been purchased for the schools on receipt of their bronze and silver awards. Banners have also been purchased for the Park and Stride schemes.

### Swinton Library



Councillors work very closely with our library staff to help provide extra activities for the residents of the Swinton Ward. The ward budget supports the provision of free dog poo bags from the library as dog fouling is an often reported problem. We have provided funding to enable a visit from the English Touring Opera and support the annual Summer Reading Challenge. Swinton has also taken up an offer to house some museum cases so hosts the Swinton Mini Museum.

### Neighbourhood Policing

Partnership working with the Neighbourhood Policing Team has been a major priority for the Swinton Ward. The ward budget has enabled us to support the Neighbourhood Team with the purchase of electric bicycles to enable PCSOs to be more visible to residents. We hold quarterly public Neighbourhood Policing meetings enabling residents to receive an update on policing in the area and have the opportunity to ask questions. Swinton has also been the first area in Rotherham to take part in Operation Shield. Eight hundred properties in a targeted area have received free Smart Water kits to mark valuables within their properties. The operation is designed to reduce incidences of domestic burglaries.



### Bus Service Improvements

Swinton Ward Councillors met with South Yorkshire Passenger Transport to ensure the retention of the 107 bus service for the residents of the Lime Grove and Piccadilly Estate.

Another public transport success for Swinton is the 218 service through the Wentworth Parks Estate which has increased from two buses per day, five days a week to an hourly service running between 7am and 7pm for six days per week.

# Valley Ward

Councillor Kerry Albiston (01709 255922)

Councillor Kathleen Reeder (01709 518155 - 07967 421722)

Councillor Jayne Senior (01709 255743)



Councillor  
Albiston



Councillor  
Reeder



Councillor  
Senior

PUTTING COMMUNITIES AT THE HEART OF EVERYTHING WE DO

## Valley Ward Priorities 2019/20

- Develop Neighbourhood Centres into successful community hubs
- Make environmental improvements to improve community safety and wellbeing
- Enhance facilities and activities for children, young people and families

### Projects supporting the Ward Priorities

#### Bringing New Life to Neighbourhood Centres

The **Swinburne Place** Neighbourhood Centre has recently received a much needed refresh. Valley Ward Councillors have paid for paint and equipment out of their Ward Budgets for the centre to be redecorated by Community Payback, who have done a fabulous job.



Valley Ward Councillors have also purchased a new cooker for the centre to enable the newly formed Swinburne Social Club to provide occasional Sunday Lunches for all residents wishing to attend.

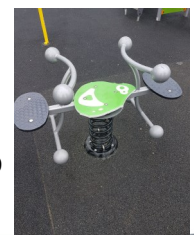
The **Dorothy Taylor** Neighbourhood Centre was in danger of closing as it had not been used for a number of years. A group of residents were interested in setting up a new group and improve the centre. Valley Ward Councillors were keen to help by funding paint and equipment out of their Ward Budgets for the centre to be redecorated by Community Payback. Ward Councillors have also supported the centre and the group by purchasing a new cooker, bingo machine and a book shelf for the centre.

The Dorothy Taylor TARA celebrated their first year anniversary in Spring 2019 with a party which was opened by The Mayor of Rotherham, Councillor Alan Buckley. The TARA provide activities to suit all ages and abilities such as Film nights, pool and darts, exercise equipment, Tuesday Breakfast Club, Friday Lunch Club, Thursday evening meal, and special events throughout the year. This summer Fortem have kindly created a patio area at the Dorothy Taylor Centre and patio furniture has been funded with Community Leadership Funding. **The High Greave Centre** is currently being refurbished, with a further two Centres on the list.



#### Play Area Improvements

After consultation with park users and local residents Councillors are funding a new item of play equipment for the park on Laudsedale Road. There will also be two new picnic benches funded for Valley Park.





## Summer Sports Activities

Valley Ward Councillors were proud to sponsor four sports coaches from SJD Sports Coaching over the summer holidays who delivered sports activities to children in Valley Park.

The organisers, Friends of Valley Park, say the event was very well attended, with over 47 children attending each day. Lunch and refreshments were provided, and all the parents have said how much their children enjoyed the event.



## Community Safety

Following concerns from local residents, Valley Ward Councillors have purchased two Solar Powered Vehicle Activated Speed Signs from their ward funds to help reduce speeding traffic on Aldgate Lane and Broom Avenue. These speed signs can be moved around the Valley Ward to locations where speeding traffic is identified as being a problem.



## Supporting Community Facilities

Valley Ward Councillors have used their ward budget to help Valley Park Combined Bowls club make vital repairs to their water irrigation tank which is necessary to allow watering of the bowling greens and ensure they are kept useable.

The bowling club maintain the bowling greens which provides a popular outlet for over 150 mainly elderly people to meet up and play social, or league bowling throughout the months of April to October.

Some of their members and guests have varying degrees of Dementia and this is a really beneficial amenity for them. The bowling club also provide bowling for the blind.

The secretary of the club has since stated that without the funding from their local ward councillors they could not have continued.

## Free Compost Bins

100 compost bins will shortly be available for Valley Ward Residents on a first come, first served basis. Advertising will be via leaflets and ward e- bulleting's.

## Improving School Parking

All primary schools in the Valley Ward were given to opportunity to acquire "Parking Buddies" to help elevate parking on the zig-zags outside schools.

Trinity Croft's newly formed School Council were delighted to receive three parking buddies with their school colours and logo.



## Listerdale Academy's

Young Road Safety Officers said that the parking buddies would make a huge difference to the problem of people parking outside the school.



**STANDARDS AND ETHICS COMMITTEE****18th September, 2019**

Present:- Councillor McNeely (in the Chair); Councillors Clark, Cooksey, Sheppard, Vjestica, Parish Council Representatives Messrs. D. Bates, D. Rowley and R. Swann and also Mrs. A. Bingham and Mrs. M. Evers (Independent Members).

Also in attendance (at the invitation of the Chair) were Mr. P. Beavers and Mr. D. Roper-Newman (Independent Persons).

Apologies for absence were received from Councillor D. Cutts and Mr. P. Edler.

**49. DECLARATIONS OF INTEREST**

There were no Declarations of Interest to report.

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

**Resolved:-** That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the appendices for Minute Nos. 56 and 57 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

**51. MINUTES OF THE PREVIOUS MEETING HELD ON 13TH JUNE, 2019**

Consideration was given to the minutes of the previous meeting held on 13<sup>th</sup> June 2019.

With regards to Minute No. 44 (Outcome of Hearing) the Committee noted that the decision of the Sub-Committee was forwarded to Maltby Town Council. Whilst it was acknowledged the Sub-Committee had few sanctions the actions taken by the Town Council, the ensuing publicity and the fact of the Town Councillor's resignation showed that there could be serious consequences following on from decisions of the Standards and Ethics Committee.

**Resolved:-** That the minutes of the meeting of the Standards and Ethics Committee held on 13<sup>th</sup> June, 2019 be approved as a true and accurate record of proceedings.

**STANDARDS AND ETHICS COMMITTEE - 18/09/19**

**52. OUTCOME OF A STANDARDS AND ETHICS SUB-COMMITTEE HEARING REGARDING AN ALLEGED BREACH OF THE CODE OF CONDUCT**

Consideration was given to the report presented by the Deputy Monitoring Officer which set out the outcome of a Standards and Ethics Sub Committee Hearing which took place on 6th September, 2019 in relation to an alleged breach of the Code of Conduct by Councillor John Turner.

The findings and sanctions by the Sub-Committee would be reported to Council on the 30<sup>th</sup> October, 2019.

The Committee considered the concerns raised with regards to the anonymity of complainants and the likelihood for Panels being able to make a fair judgement. In this case it was judged there to be sufficient evidence to make a decision without the disclosure or attendance of the complainant.

Further discussion ensued on Councillor responsibilities, appropriateness of the arena where the comments were made and the need for social media and freedom of speech to be considered as subjects in any future training.

**Resolved:-** (1) That the outcome of the Standards and Ethics Sub-Committee Hearing on 6th September, 2019 be noted.

(2) That the social media and Code of Conduct training to be provided refers to issues raised in the decision of the Standards and Ethics Sub-Committee.

**53. AMENDMENTS TO THE WHISTLEBLOWING POLICY**

Consideration was given to the report presented by the Deputy Monitoring Officer which set out a number of proposed amendments to the Whistleblowing Policy following a review of the Policy and the way in which it operated.

To assist the Standards and Ethics Committee a full copy of the Whistleblowing Policy with suggested amendments in “tracked” version and a fully amended version for ease of reading were provided.

The suggested amendments included “administrative” changes to include the new post of the Head of Legal Services, and a change to the external Auditor and also included an additional way in which Whistleblowing concerns may be reported to the Council, by introducing a specific Whistleblowing Hotline number.

In addition, the proposed amendments also included nominating three senior officers, namely the Monitoring Officer, the Head of Internal Audit and the Section 151 Officer as the Council’s “Whistleblowing Officers”.

**STANDARDS AND ETHICS COMMITTEE - 18/09/19**

These officers would be responsible for the oversight of the operation of the Whistleblowing Policy including oversight of receiving concerns, investigating concerns and providing appropriate information to the Whistle-blower as to the progress and outcome of any investigation. These Whistleblowing Officers would also be responsible for ensuring appropriate actions were taken following an investigation and implementing any lessons learned following an investigation.

This strengthened the resilience of the arrangements which previously only referred to the Assistant Director of Legal Services being responsible for these matters.

The proposed amendments also included amendments to the way in which concerns were allocated for investigation, due to the introduction of the Whistleblowing Officers. Again for this reason there were changes to the way in which the whistle-blower was kept informed about the investigation.

An explanation was provided in respect of the legislation which may be applicable to permit the withholding of information and the reasons for and why they may be shared.

**Resolved:-** That the proposed amendments to the Whistleblowing Policy be approved.

**54. COMMITTEE FOR STANDARDS ON PUBLIC LIFE - UPDATE - REVIEW OF ETHICS IN LOCAL GOVERNMENT**

The Deputy Monitoring Officer provided a verbal update on the current position and confirmed letters had been distributed to all local Members of Parliament to advise of the favourable response to the Review and encouraged them to take action for appropriate changes to legislation. A response had been received from one of the local M.P.s to the effect that they would raise the issue in Parliament to implore the relevant Minister to make the appropriate changes as recommended in the report.

Whilst it may be premature for Standards and Ethics Committees to yet implement many of the proposed changes, certain best practice recommendations have been implemented, and the other best practice recommendations will be implemented

The report had also been endorsed by the Yorkshire Local Councils Association who were of the same opinion as the Committee.

**Resolved:-** That the information be noted.

**STANDARDS AND ETHICS COMMITTEE - 18/09/19**

**55. TRAINING UPDATE**

The Deputy Monitoring Officer reported verbally on forthcoming training events and suggested that a session be arranged specifically for the Standards and Ethics Committee Members on the Sub-Committee process for hearings prior to the next scheduled meeting.

The Committee welcomed this approach and also suggested that less experienced Members be invited to sit in on any such arranged hearings as long as this was in consultation with relevant parties involved.

The Chair also referred to additional training that was to take place with Parish Councils and extended the invitation to all Standards and Ethics Committee Members.

The training was scheduled for:-

- Thursday, 7<sup>th</sup> November, 2019 – Town Hall – 6.00 p.m. to 8.00 p.m.
- Monday, 2<sup>nd</sup> December, 2019 – Dalton Parish Hall – 10.00 a.m. to 12.00 Noon.

**Resolved:-** (1) That a training session be arranged and diary invites circulated to Standards and Ethics Committee Members.

(2) That the Parish Council training sessions be noted.

**56. A REVIEW OF CONCERNS RAISED PURSUANT TO THE WHISTLEBLOWING POLICY**

Consideration was given to the report and appendix presented by the Deputy Monitoring Officer, which provided an overview of the Whistleblowing cases which have been received over the past year.

Particular reference was made to the appendix to the report which set out clearly the description of the concerns received and action taken.

**Resolved:-** That the Whistleblowing concerns raised over the previous year and the actions taken to address these matters be noted.

**57. STANDARDS AND ETHICS COMMITTEE - CONSIDERATION OF COMPLAINTS**

Consideration was given to the report presented by the Deputy Monitoring Officer, detailing the progress with the handling of complaints relating to breaches of the Council's Code of Conduct for Members and Town and Parish Councillors. The report listed the current cases of complaint and the action being taken in respect of each one.

Reference was made to each related case and recommended outcomes/actions identified were highlighted.

**Resolved:-** (1) That the report be received and the contents noted.

(2) That the progress in respect of each case be noted pursuant to the Standards and Ethics Committee Complaints Procedure.

**58. DATE AND TIME OF NEXT MEETING - THURSDAY, 12<sup>TH</sup> DECEMBER, 2019 AT 2.00 P.M.**

**Resolved:-** That the next meeting of the Standards and Ethics Committee take place on Thursday, 12<sup>th</sup> December, 2019 at 2.00 p.m.



**AUDIT COMMITTEE  
26th September, 2019**

Present:- Councillor Wyatt (in the Chair); Councillors Cowles, Vjestica and Walsh.

Gareth Mills and Thilina De Zoysa (Grant Thornton) were in attendance.

An apology for absence was received from Bernard Coleman (Independent Person).

**28. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made at the meeting.

**29. QUESTIONS FROM MEMBERS OF THE PUBLIC OR THE PRESS**

There were no members of the press or public present at the meeting.

**30. MINUTES OF THE PREVIOUS MEETING HELD ON 30TH JULY, 2019**

Consideration was given to the minutes of the previous meeting of the Audit Committee held on 30<sup>th</sup> July, 2019.

Resolved:- That the minutes of the previous meeting of the Audit Committee be approved as a correct record of proceedings.

**31. EXTERNAL AUDIT ANNUAL REPORT**

Gareth Mills, Grant Thornton, reported that they had now concluded their 2018/19 audit and had issued their audit certificate on 8<sup>th</sup> August, 2019, after the original target date of 31<sup>st</sup> July. This was in relation to Grant Thornton concluding the audit documentation on their audit file to ensure it was complete as at the date they issued their audit opinion. This had been Grant Thornton's decision and not as a result of any issues in relation to the Council's accounts or supporting working papers provided. Both the audit certificate and notice of conclusion of audit had been published on the Council's website.

The audit work had been carried out in accordance with the National Audit Office's Code of Audit Practice which reflected the requirements of the Local Audit and Accountability Act 2014. The key responsibilities were to:-

- Give an opinion on the Council's financial statements
- Assess the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources (the Value for Money conclusion)

The main headlines from the Annual Audit Letter in relation to the accounts and other audit responsibilities were that:-

**AUDIT COMMITTEE - 26/09/19**

- An unqualified ‘clean’ opinion on the Authority’s financial statements issued on 8th August
- Presentational changes
- Revised report in light of the McCloud judgement resulting in an increase in the Council’s pension fund. This adjustment did not impact on the Council’s level of useable reserves
- An assurance statement had been issued which did not identify any issues for the group auditor to consider in relation to the Council’s Data Collection Tool
- One audit adjustment which did not affect the prime financial statements and a small number of presentational adjustments. None of the changes affected the financial performance or financial position of the Council
- An unqualified conclusion on the Authority’s arrangements to secure Value for Money (VFM) for 2018/19 on 8th August, 2019
- Concluded that proper arrangements were in place for sound governance and informed decision making around Children’s Services
- The Annual Governance Statement approved at the July Audit Committee (Minute No. 20 refers), was consistent with Grant Thornton’s understanding and compliant with the CIPFA/SOLACE framework on good governance in local government
- Proper arrangements in place for informed decision making in relation to the Dedicated School Grant expenditure. However, should the deficit continue to increase in 2019-20, it may have implications for the 2019-20 VFM conclusion
- The Council’s consolidation pack prepared to support the production of Whole of Government Accounts by HM Treasury was consistent with the audited financial statements
- There were no high priority recommendations or other matters that needed to be brought to the attention of the Audit Committee

Resolved:- That the final Annual Audit Letter 2018/19 presented to the Council by its external auditors, Grant Thornton, be noted and approved for publication on the Council’s website.

**32. UPDATE REPORT ON THE USE OF SURVEILLANCE AND ACQUISITION OF COMMUNITY DATA POWERS**

Bal Nahal, Head of Legal Services, presented an update on the use of covert surveillance and covert human intelligence sources (CHIS) carried out by Council officers under the Regulation of Investigatory Powers Act 2000 (RIPA).

As previously with the Office of Surveillance Commissioners (OSC), the Council was required to notify IPCO of the number of directed surveillance/CHIS authorisations granted in each financial year. Since the last report, the Council had not used its powers under RIPA to use directed surveillance, covert human intelligence sources or to acquire communications data. A statistical return was completed and submitted to the Investigatory Powers Commissioners Office on 29<sup>th</sup> March, 2019.

The Council's corporate policies made provision for the Audit Committee to oversee the operation of these policies by receiving reports on a 6 monthly basis to ensure that RIPA powers were being used in a manner consistent with the Policy. This was the latest update report, however, as the Council had not used the powers for the last 2 years, it was appropriate to reduce reporting to an annual basis.

The Council's Policies were considered by the Committee on 29<sup>th</sup> January, 2019, and re-adopted with minor amendments. The Publication of the Revised Codes of Practice for Covert Surveillance and Property Interference and for Covert Human Intelligence Sources would require the RIPA Policy to be reviewed again by January, 2020 and the use of the powers to be reported in future at that meeting.

Resolved:- (1) That it be noted that the Council had not made use of surveillance or acquisition of communication data powers under RIPA since the previous report on 27<sup>th</sup> November, 2018.

(2) That further updates be submitted annually together with a review (updates/amendments) to the Council's RIPA Policy with the provision of submission of exception reports as and when required.

**33. INTERNAL AUDIT CHARTER**

Further to Minute No. 33 of the meeting of the Audit Committee held on 2nd October, 2018, David Webster, Head of Internal Audit, presented the revised Internal Audit Charter.

The Charter, which in effect was the Terms of Reference of the Internal Audit Department, was aligned to the Public Sector Internal Audit Standards (PSIAS) and Local Government Application Note (LGAN) which was mandatory for all Local Government audit departments. During 2019 the LGAN had been updated as well as CIPFA publishing a 'Statement on the Role of the Head of Internal Audit' aligned to PSIAS.

**AUDIT COMMITTEE - 26/09/19**

The Charter had been reviewed and updated slightly for 2019 to ensure it met those requirements.

The main changes were:-

- Updates to refer to the CIPFA publications
- Where the Head of Internal Audit had other responsibilities, there must be safeguards in place to ensure that independence was not impaired
- Further detail on the role of Internal Audit in respect of Anti-Fraud and Corruption
- Further detail on ad hoc advice and consulting services provided by Internal Audit

It was noted that the Professional Standards for Internal Audit were set out in the UK Public Sector Internal Audit Standards and required an independent assessment of Internal Audit at least every 5 years. The last external review took place 4 years ago; a report was to be submitted to the November meeting of the Committee proposing bringing forward the external review and to discuss the way forward.

Resolved:- That the Internal Audit Charter, as now submitted, be approved.

**34. AUDIT COMMITTEE FORWARD PLAN**

Consideration was given to the proposed forward work plan for the Audit Committee covering the period November, 2019 to September, 2020.

Resolved:- That the Audit Committee forward plan, now submitted, be supported and any amendments arising actioned in due course.

**35. ITEMS FOR REFERRAL FOR SCRUTINY**

There were no items for referral for Scrutiny.

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

Resolved:- That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006 (information relates to finance and business affairs).

**37. INTERNAL AUDIT PROGRESS REPORT**

Consideration was given to a report presented by David Webster, Head of Internal Audit, which provided a summary of Internal Audit work completed during 1<sup>st</sup> June to 31<sup>st</sup> August, 2019, and the key issues that had arisen therefrom.

20 audits had been finalised since the last Committee meeting which included 7 receiving Substantial Assurance, 9 Reasonable Assurance and 4 Partial Assurance. Audit opinions and a brief summary of all audit work concluded since the previous meeting were set out at Appendix B.

Internal Audit also carried out unplanned responsive work and investigation into any allegations of fraud, corruption or other irregularity. 2 reports of this type had been issued since the last meeting (Appendix C).

Internal Audit's performance against a number of indicators was summarised in Appendix D which showed that target performance had not been achieved for audits completed within planned time and chargeable time which had been affected by annual leave. Appendix E showed the number of outstanding recommendations that had passed their original due date, age rated. For those over 120 days old the detail was then given, where they had been deferred the comment received from the Manager was given and where there was no change to the due date or comment, the Manager had not updated the system. There had been an overall reduction in the total of aged outstanding actions since the last report reducing from 29 to 22.

Discussion ensued on various matters contained within the agreed actions section of the report which included:-

- Staffing of the Audit Team
- Licensing
- Direct Payments
- Document Management
- Contract Manuals

Resolved:- (1) That the Internal Audit work undertaken since meetings of the Audit Committee, 1<sup>st</sup> June to 31<sup>st</sup> August, 2019, and the key issues arising therefrom be noted.

(2) That the information submitted regarding the performance of Internal Audit and the actions being taken by management in respect of the outstanding actions be noted.

(Exempt under Paragraph 3 of the Act – information relates to finance and business affairs)

**38. RISK MANAGEMENT SUMMARY OF ACTIVITY 2018-19**

Simon Dennis, Corporate Risk Manager, presented an annual summary of risk management activity in accordance with the Risk Management Standard ISO31000.

The report summarised the principal risk management activity that had been carried out in the Council throughout the past financial year. It covered a wider range of topics than those reported on the Strategic Risk Register reports and aimed to cover not only the key movements in Strategic Risks that had occurred over the period, but also the key elements of the Council's activity throughout the year.

The report set out:-

- Risk Management Responsibilities
- Training Summary
- Risk Management Process
- Current Risk Profile
- Future Developments.

Individual Service Management Teams and Directorate Leadership Teams had reviewed their Risk Registers in line with the Risk Management Policy and Strategy, typically every 4-6 weeks. Throughout the year, the Strategic Risk Register was formally reviewed by the Strategic Leadership Team (SLT) both at joint Strategic Leadership Team/Assistant Directors Performance Management meetings and at separate SLT meetings. These would continue throughout the coming financial year at 3 monthly intervals.

The Strategic Risk Register was also reported regularly to this Committee together with the annual "Deep Dives" of Directorate Risk Registers.

The total number of strategic risks included on the Risk Register had reduced from 18 to 13 over the period February, 2018 to July 2019. 5 risks had been removed from the Corporate Strategic Register with none being added. Of the risk that remained, 9 had a decreasing risk score and 4 had been constant.

Resolved:- That the annual summary of Risk Management activity be noted.

(Exempt under Paragraph 3 of the Act – information relates to finance and business affairs)

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

Resolved:- That a further meeting be held on Tuesday, 26<sup>th</sup> November, 2019, commencing at 2.00 p.m.

**HEALTH AND WELLBEING BOARD**  
**18th September, 2019**

**Present:-**

Councillor David Roche	Cabinet Member, Adult Social Care and Health <b>(in the Chair)</b>
Chris Edwards	Chief Operating Officer, Rotherham CCG
Tony Clabby	Healthwatch Rotherham
Dr. Richard Cullen	Strategic Clinical Executive, Rotherham CCG
Sharon Kemp	Chief Executive, RMBC
Jenny Lingrell	Joint Assistant Director, Commissioning Performance Inclusion (representing Jon Stonehouse)
Ian Spicer	Assistant Director, Independent Living and Support (representing Anne Marie Lubanski)
Janet Wheatley	Chief Executive, Voluntary Action Rotherham
Jacqui Wiltchinsky	Public Health (representing Terri Roche)
Angela Wood	Chief Nurse, TRFT (representing Louise Barnett)
Paul Woodcock	Strategic Director, Regeneration and Environment

**Report Presenters:-**

Gill Harrison	Public Health Specialist, RMBC
Matt Reynolds	Manager Planning, Regeneration and Transport
Tom Smith	Assistant Director Community Safety and Street Scene

**Also Present:-**

Councillor Rob Elliott	Vice-Chair, Health Select Commission
Councillor Jeanette Mallinder	Chair, Improving Places Select Commission
Amanda Thompson	South Yorkshire Fire and Rescue Service (representing Steve Adams)
Becky Woolley	Policy and Partnerships Officer, RMBC

Apologies for absence were submitted from Steve Adams (South Yorkshire Fire and Rescue Service), Louise Barnett (TRFT), Steve Chapman (South Yorkshire Police), Carol Lavelle (NHS England), Anne Marie Lubanski (Rotherham MBC), Dr. Jason Page (Rotherham CCG), Terri Roche (Public Health), Kathryn Singh (RDaSH) and Jon Stonehouse (Rotherham MBC).

**32. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made at this meeting.

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

There were no members of the public or press present at the meeting.

**34. MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting of the Health and Wellbeing Board were considered.

Resolved:- That the minutes of the previous meeting held on 10<sup>th</sup> July, 2019, be approved as a correct record.

**35. COMMUNICATIONS**

**Be the One – Suicide Prevention Campaign**

The joint Campaign of the CCG, Council and RDaSH had been extremely successful so far. As of 10<sup>th</sup> September there had been 9,000 hits on the website, 57,000 people had accessed via Facebook and 36,000 tweets.

**Loneliness Strategy**

The above Strategy, which came under Aim 4 of the Health and Wellbeing Strategy, was to be launched on 24<sup>th</sup> September at the Rawmarsh High Street Centre. Anyone who had not responded to the invite should do so as soon as possible.

**Rotherham Show**

Board members were requested to give consideration to a joint health and wellness marquee at next year's Show.

Resolved:- That partners discuss within their individual organisations and further discussion take place at a future Board meeting.

**ACTION:- All Board members**

**36. IMPROVING AIR QUALITY IN ROTHERHAM**

Tom Smith, Assistant Director Community Safety and Street Scene, assisted by Matt Reynolds, Manager Planning, Regeneration and Transport, gave the following powerpoint presentation:-

**Background**

- 7M deaths globally were caused by air pollution
- Estimated up to 36,000 deaths a year in the United Kingdom
- Contributes to over 100 deaths per year in Rotherham
- Worsens chronic illnesses, shortens life expectancy and damages lung development in children
- Causes asthma, increases the chances of hospital admissions and respiratory and cardiovascular disease
- Poor communities were most exposed to and suffered the consequences of polluted air
- United Kingdom had been in breach of legal limits since 2010

**Rotherham Air Quality Plan 2016-20**

- Mitigation of air quality impacts through the planning process (Development Control)



- Promoting low emission transport in particular cleaner buses, taxi licensing, the installation of electric vehicle recharging infrastructure
- Promoting travel alternatives to the private car, raising public awareness especially of the impact of diesel vehicles on air quality in our towns and cities
- Improving the efficiency of the Rotherham MBC Vehicle Fleet

Work to Date – Sustainable Transport

- Care4Air Campaign
- Promote uptake of electric vehicles – 25 charging points
- Promote alternative transport
  - Cycleboost
  - Sustainable and Active Travel support for schools
  - Independent Travel Training
  - “Walk Rotherham” project
  - Busboost
  - EcoStars

Work to Date – Infrastructure

- National Productivity Investment Fund
- Tram Train Pilot
- Rotherham Interchange
- A630 Parkway widening

Improving Air Quality in Rotherham

- Rotherham and Sheffield required to work together to:
  - Analyse local air quality
  - Achieve statutory compliance with Air Quality Legislation
  - Proposed scheme(s) were deliverable in the shortest possible time and by no later than 2021
- Submit final business case to Government by December 2019

What is causing the problem?

- Road traffic
- Particular types of vehicles
  - Diesel vehicles and older petrol vehicles were the most polluting
  - Older non-retrofitted buses
  - Private hire taxis
  - HGVs and LGVs
- Focused in particular locations across the Borough – Wortley Road, Rawmarsh Hill, Fitzwilliam Road and the Parkway

Sheffield Parkway in Rotherham (A630)

- Sheffield propose to introduce a Category C (CAZ C) charging zone area bounded by the inner ring-road
- Would bring both the Sheffield and Rotherham sections of Sheffield Parkway into compliance by 2021

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- Assumes that the proposed 50 mph speed limit, associated with the widening of the Parkway in Rotherham was introduced

## Rawmarsh Hill (A633) Rawmarsh

- Upgrade or replace all buses operating on Rawmarsh Hill were to the Euro VI standard as a minimum
- A Euro VI bus delivers an almost 95% reduction in emissions against earlier Euro standards
- Divert around 25-30% of the scheduled buses from Rawmarsh Hill onto Barbers Avenue
- Improve the junctions at Dale Road and undertake minor works to Barbers Avenue itself, to support this measure

## Fitzwilliam Road (A630) Eastwood

- Minor engineering and traffic flow works

## Wortley Road and Upper Wortley Road (A629), Kimberworth and Thorpe Hesley

- Heavy Goods Vehicles ban – northbound towards M1

## Other Measures

- Financial support to upgrade
  - Taxis and private hire vehicles
  - Buses
  - Heavy Goods Vehicles and Light Goods Vehicles
- Campaigns and behavioural change

## Outcomes

Rotherham Sites	2017 Baseline	2021	
		Projected without measures	Projected with Measures
A630 Parkway Rotherham	48	44	39.5
A633 Rawmarsh Hill Rotherham	49	42	38.4
A629 Wortley Road Rotherham	45	41	31.3
A630 Fitzwilliam Road Rotherham	45	44	37.6

## Next Steps

- Public consultation on proposals – Summer 2019
- Submit final business case to Government – December 2019
- Implement proposals – from June/July 2020

Discussion ensued with the following issues raised/clarified:-

- Running alongside the Clean Air Zone was the Transforming Cities funding package. The 2 business cases would complement each other
- One of the current NO<sup>2</sup> readers was obscured by a tree – to be replaced by appropriate vegetation
- The Clean Air Zone consultation process had now closed and had had a limited response – approximately 700 responses in Rotherham. Rotherham businesses/taxi drivers had been encouraged to take part in Sheffield's consultation with regard to the effect the introduction of the Category C (CAZ C) charging zone area
- As well as work at the 4 locations there would be more campaign and behavioural change work
- The Project Board was working with Central Government in an attempt to introduce a national awareness campaign
- Car clubs/car sharing would be looked at as part of the behaviour change work
- CCG and Place Plan should reflect air quality
- Regular updates should be submitted to the Board
- A number of electric vehicle charging points were now available on Council-owned land financed via the Early Measures Fund – possible installation on partners' sites e.g. hospital?
- Children Services may have a role to play in encouraging parents not to drive their children to school

Resolved:- That the presentation be noted.

### **37. ADVANCING OUR HEALTH: PREVENTION IN THE 2020S CONSULTATION**

The Chair introduced a report on 'Advancing our Health: Prevention in the 2020s' consultation.

Consultation on the Prevention Green Paper had been launched on 22<sup>nd</sup> July, 2019, and would close on 14<sup>th</sup> October. The Paper built on previous policy developments including the NHS Long Term Plan and the national Prevention Vision.

The crosscutting themes of the Paper were:-

- Emphasis on technology, digital and innovation over other factors such as the wider determinants of health
- Focus on greater personalisation and a targeted approach with a shift away from universalist interventions and towards interventions stratified by risk

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- Increasingly important role for regulation and taxation including exploring the introduction of a levy on the tobacco industry based on the principle of the ‘polluter pays’ and exploring how the sugar tax should be extended to include milk-based drinks
- Focussing on the early years including modernising the Health Child Programme and taking action on children’s oral health
- Closing the ‘prevention gap’ and achieving parity of esteem not just for how mental health conditions were treated but also for how they were prevented
- Seeing health as an asset to invest in throughout life and not just a problem to fix when it went wrong

Attention was also drawn to the key themes of the Paper and where the gaps were.

Discussion took place with the following points raised:-

- Cancer UK was interested in using the Rotherham Health app
- The CCG Small Grants for Mental Health had a big effect certainly with some of the work Healthwatch was doing with men’s mental health
- Closer links with Housing and Planning with regard to air quality and the effect on communities
- Welcome the focus on Public Health as a priority and provide examples of what Rotherham thought of as networks e.g. social prescribing, connecting communities, focus in the Health and Wellbeing Strategy around Housing and suggest that they were the things Rotherham would like to see a focus on
- Since publication of the Paper there had been an announcement that there would be an investment in Public Health next year
- Play to Rotherham’s strengths in what was believed would make a difference whilst putting a challenge down to the Government
- The TRFT to incorporate what had worked in Rotherham in the form of case studies

Resolved:- (1) That Board Members provide comments for inclusion in the response to Becky Woolley by 26<sup>th</sup> September, 2019.

**ACTION:- All Board Members/Becky Woolley**

(2) That the TRFT provide case studies for inclusion in the response.

**ACTION:- TRFT**

**38. PERFORMANCE FRAMEWORK SPOTLIGHT: SUICIDE PREVENTION**

The Board considered a report containing information taken from the Public Health England Suicide Prevention Profiles and Office of National Statistics (ONS) data. It showed that:-

- Rotherham – after a small decrease between 2013-15, the 3 year directly age-standardised rate (DSR) had increased from 13.9 to 15.9 deaths per 100,000 between 2014-16 and 2015-17. The latest data for 2016-18 showed that this had now dropped to 13.1 deaths per 100,000 a decrease of nearly 18%
- Yorkshire and Humber Region – had a statistically higher suicide rate for males in 2018 compared to the overall rate for males in England and Wales – 19.0 deaths per 100,000 males compared to 16.2. The suicide rate had increased from 15.3 in 2017 to 19.0 deaths per 100,000 in 2018 for males. For females the highest suicide rate in 2018 in England was seen in Yorkshire and the Humber – 5.7 deaths per 100,000 women
- England – All Persons Suicides – 5,021 suicides were registered in 2018, 570 more than in 2017 (4,451 deaths) – 12.8% increase. The latest England rate represented the first increase since 2014, however, this remained lower than at the beginning of the time series (1981) – 14.6 deaths per 100,000 persons

A symposium had been held in Rotherham in June 2019 as an opportunity for partners working across Rotherham to hear about national research and best practice in relation to suicide prevention. It had also acted as a self-assessment of the Rotherham Suicide Prevention and Self-Harm Action Plan which would be submitted to the Board for sign off.

In Rotherham there was joint working between the CCG, RMBC and men's groups to develop the concepts for the suicide prevention campaign, 'Be the One'.

Rotherham had secured NHSE Year 2 Suicide Prevention funding which would be used to fund the promotion of a second round of small grant awards to men's groups that were tackling the risk factors relating to suicide, implementation of the Train the Trainer Self Harm project, provision of a listening service for those bereaved/affected by suicide and suicide prevention training for frontline staff and targeted work in areas of higher rates.

Concern remained with regard to the number of women in Rotherham and the region who took their own lives. Rotherham Public Health had commenced initial conversations with a local university regarding research into this area. Also, whilst dropping in the 3 year period, suicide rates were still above the national average.

Next steps included the launch and monitoring of the impact of the 'Be the One' campaign as well as sign off of the Rotherham Suicide Prevention and Self Harm Action Plan by the Health and Wellbeing Board. The NHSE Year 2 funded work would be implemented and evaluated as well as discussions with ICS colleagues in relation to any joint commissioning opportunities, work with a local university to understand why women took their own lives and look at what actions could be taken by all partners.

It was noted that families were now signposted to AMPARO which had started in May. The contract was monitored by the CCG but the take-up had been slow. It was thought that bereaved families were under the impression that it was a counselling service which they did not want; it was to be rebadged as a listening service. The Service would provide support up until the inquest and beyond.

Resolved:- (1) That the refreshed Rotherham Suicide Prevention and Self Harm Action Plan 2019-21 be submitted to the Board for consideration.

(2) That 6 monthly updates on progress against the action plan be submitted together with updates on the work funded through the NHS England Suicide Prevention funds.

**ACTION:- Ruth Fletcher Brown**

### **39. REFRESH OF THE SEXUAL HEALTH STRATEGY**

Gill Harrison, Public Health Specialist, presented the 2019-21 refresh of the Sexual Health Strategy for Rotherham with the aid of a powerpoint presentation.

The Strategy set out the priorities for the next 3 years for improving sexual health outcomes for the local population. It provided a framework for planning and delivering commissioned services and interventions (within existing resources) aimed at improving sexual health outcomes across the life course.

The Strategy had been scrutinised by the Health Select Commission with comments relating to suggested actions to be submitted to the Strategy Group.

The Strategy aimed to address the sexual health needs reflected by Public Health England's sexual and reproductive health epidemiology report 2017 which highlighted areas of concern. The following were identified as concerns to identify actions for 2019-21:-

- Sexually Transmitted Infections (STI) diagnosis in young people
- Sexual health within vulnerable groups
- Under 18 conception rate
- Pelvic inflammatory disease (PID) admission rate
- Abortions under 10 weeks

The refreshed Strategy also reflected concerns expressed in the Rotherham Voice of the Child Lifestyle Survey 2018 i.e. the number of those sexually active young people (aged 14/15 years) who said that they did not use any contraception had increased from 27.5% in 2017 to 29.1% in 2018. Also the numbers of young people (aged 14/15 years) reporting that they had had sex after drinking alcohol and/or taking drugs showed a significant increase since the 2017 survey.

Discussion ensued with the following issues raised/clarified:-

- There was nothing to show how someone would be supported if they had been attending the Sexual Health Clinic and still became pregnant
- There were regular monitoring meetings with the Integrated Sexual Health Service who kept action logs in relation to CSE and any Safeguarding areas of concern they may have had and what they had done with them. There was some very positive work between the Pause Project, Sexual Health Clinic at the Hospital and GPs. Could the “vulnerable groups” be broadened to that currently contained within the Plan and include Pause?
- Yorkshire MESMAC was to submit a funding bid to the National HIV Intervention Fund to carry out work with the Roma community
- A clear action plan would be developed to underpin delivery of the Strategy
- There would be a clear action plan with actions
- The term “vulnerable” used in the Public Health England context was different to that normally understood by the term

Resolved:- That the refreshed Sexual Health Strategy and associated action plan be approved.

#### **40. HEALTH AND WELLBEING BOARD ANNUAL REPORT**

The Chair introduced the Health and Wellbeing Board’s first annual report 2018/19.

The report set out the governance arrangements, delivery of the Strategy, what was working well, what the Board was worried about and what it would do next.

It was felt that the report would help the Board to improve its media footprint, published on the website and presented to various partner boards as and when required.

Resolved:- That the report be noted.

**41. UPDATES TO THE HEALTH AND WELLBEING BOARD**

**Supplementary Planning Documents**

At the meeting of the Council's Cabinet on 16<sup>th</sup> September approval had been given to go out to consultation on a suite of Supplementary Planning documents which included Equal and Healthy Communities and Air Quality and Emissions.

**Report Templates**

Following discussion at the Executive Group, it had been agreed that a new Plan on a Page template be utilised for reports by Board Sponsors to provide updates on each of the aims in the Strategy.

Resolved:- (1) That the updates be noted.

(2) That the Equal and Healthy Communities and Air Quality and Emissions Supplementary Planning documents be circulated to Board Members.

**ACTION:- Paul Woodcock/Becky Woolley**

**Future Agenda Items**

Annual reports of the Safeguarding Adults and Safeguarding Children Boards  
Joint Strategic Needs Assessment  
Loneliness Plan

**42. ISSUES ESCALATED FROM PLACE BOARD**

There were none to report.

**43. BETTER CARE FUND PLANNING TEMPLATE**

The Board received, for information, an overview of the Better Care Fund Plan for 2019-20. The BCF planning template was in line with the 2019-20 Better Care Fund Policy Framework published in April 2019 and the Better Care Fund Planning Requirements 2019-20 which included Key Lines of Enquiries (KLOEs) released in July 2019.

The report set out the key achievements for 2017-19 since the BCF Plan including enhanced health care in care homes, lessons learned and income and expenditure.

Rotherham was fully meeting the 4 national conditions set within the Government in the BCF Policy Framework and towards the former national conditions contained within the 2017-19 BCF Plans.

The report also set out the various stages of the approval process the BCF planning template for 219/20 was subject to which included submission to the NHS England on 27<sup>th</sup> September, 2019.



Resolved:- That the report be noted.

**44. HEALTH AND WELLBEING STRATEGY PERFORMANCE FRAMEWORK**

The Health and Wellbeing Strategy 2018-25 Performance Framework was submitted for information.

**45. ACTIVE FOR HEALTH - EVALUATION REPORT**

The Board noted the Rotherham Active for Health evaluation report.

**46. ICP PERFORMANCE REPORT**

The Board noted the progress with deliver of the ICP Place Plan as at the end of quarter 1 2019-20.

**47. ROTHERHAM INTEGRATED CARE PARTNERSHIP PLACE BOARD**

The minutes of the Rotherham Integrated Care Partnership Board held on 5<sup>th</sup> June, 3<sup>rd</sup> July and 7<sup>th</sup> August, 2019, were noted.

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

Resolved:- That the next meeting be held on Wednesday, 20<sup>th</sup> November, 2019, commencing at 9.00 a.m. at Rotherham Town Hall.

**PLANNING BOARD**  
**29th August, 2019**

Present:- Councillor Sheppard (in the Chair); Councillors Atkin, Bird, D. Cutts, M. Elliott, Mallinder, Sansome, John Turner, Tweed, Walsh, Whysall and Williams.

Apologies for absence were received from Councillors Jarvis and Steele.

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

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

**26. DECLARATIONS OF INTEREST**

Councillor Walsh declared a personal interest in application RB2019/0929 (variation to Condition 1 at former Orgreave Reclamation Site, Orgreave Road, Catcliffe) in that he had provided advice generally to Orgreave Parish Council.

**27. MINUTES OF THE PREVIOUS MEETING HELD ON 8TH AUGUST, 2019**

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 8<sup>th</sup> August, 2019, be approved as a correct record of the meeting.

**28. DEFERMENTS/SITE VISITS**

There were no site visits nor deferments recommended.

**29. DEVELOPMENT PROPOSALS**

Resolved:- (1) That, on the development proposals now considered, the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

In accordance with the right to speak procedure, the following person attended the meeting and spoke about the application below:-

- Variation of condition 01 to extend the timescale for the importation and movement of material to complete previously approved restoration contours for a further two years to 31st December, 2021 imposed by RB2015/1208 at Former Orgreave Reclamation Site, Orgreave Road, Catcliffe for Harworth Group PLC (RB2019/0929)

Mr. M. Farther (Objector)

(2) That applications RB2018/1497, RB2019/0737, RB019/0804, RB2019/0838, RB2019/0929, RB2019/1006 and RB2019/1009 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

**30. DEED OF VARIATION IN RELATION TO THE SECTION 106 FOR WAVERLEY NEW COMMUNITY**

Consideration was given to a report of the Assistant Director of Planning, Regeneration and Transport concerning the Section 106 Agreement for Waverley New Community and the obligations on Harworth Group (land owner) the now proposed Deed of Variation.

It was noted that there was an obligation under the current Section 106 Agreement to provide an education contribution on a phased basis. The first phasing of payments had been triggered in respect of the first primary school which was currently under construction and due to open in September, 2020. However, as reported to Cabinet on the 17<sup>th</sup> December, 2018, the current and long standing Section 106 trigger points for the second school were too early as the full pupil yield from housing would not be realised at that stage.

This would have an adverse effect on Waverley Junior Academy on the basis that if the second Waverley primary school opened too early, there would be significant surplus capacity across both schools until the pupil yield increased impacting on the Academy's ability to deliver a balanced budget as required statutorily. As a result of this, it was proposed to change the trigger points for the next phasing of payments to avoid this and revised trigger points proposed:-

- First 5% of the education contribution – any time after occupation of 2,350 (from 1,550) No. dwellings; and
- 45% of the education contribution – any time after occupation of 2,600 (from 1,750) No. dwellings.

In terms of Transport Contributions - Public Transport Infrastructure the existing Section 106 Agreement set out there was £824,000 to spend on Travel Plan measures and at such times that may be approved by the Travel Plan Steering Group. The Steering Group agreed at its 9th July, 2019 meeting to allow a sum of £224,000 to be used from the Travel Plan Funding against the provision of the bus station infrastructure.

Additionally, there was £1.46 million of money remaining in the Section 106 to be used if necessary, over Phases 2-4 (next fifteen years) of the Waverley New Community development for public transport improvements and infrastructure.

It was, therefore, determined via the Travel Plan Steering Group (meeting of 9th July, 2019) that the best option moving forward was to divert the £1.46 million towards the provision of public transport infrastructure,

namely the bus station which was planned as part of the new mixed use centre development, with payment to be made upfront. This would ensure maximum benefits for the local community over the thirty year development period. South Yorkshire Passenger Transport Executive (SYPTTE) have been party to these discussions and raise no objections subject to clarity that buses can reverse out of the bus station without having to negotiate cars entering into the staff car park. To address this point, an amended layout had been submitted which resulted in a minor alteration to the location of the car park entrance, but prevented any bus/car conflicts.

The expenditure of Section 106 monies on these facilities and infrastructure and their ongoing operation and maintenance was wholly in line with the Section 106 aims set out in Schedule 3 of the Agreement which sought to invest in necessary public transport improvements and infrastructure.

Additionally, the Deed of Variation provided for the option of the £1.46 million to be spent on the construction of the bus station and associated infrastructure and their ongoing management by Harworth Group.

There was also a requirement in the original Section 106 Agreement to provide thirty allotments on land to the east of the River Rother. Following further review, the proposed location of allotments on this land was not considered to be a suitable location and would not serve a useful purpose as it was divorced from the residential community and had poor access.

In line with the recent study with Sheffield Hallam University and as part of the wider greenspace strategy for the Waverley site, including the Well Rotherham initiative, Harworth Estates propose to provide raised planters in the centre of the Waverley New Community site which were much more accessible to the local community and could be tended by residents, whilst also ensuring better security through improved natural surveillance. On this basis, the Deed of Variation sought to remove the requirement to provide the allotments.

On balance therefore, the Local Planning Authority considered that the proposed amendments would not negatively impact on the provision of services, but instead contribute towards the ongoing success of the site and provide existing and future residents with supporting facilities that they would expect from a development of this nature.

Resolved:- That the proposed amendments to the Section 106 Agreement which relate to School 2, Public Transport and Allotment provision be noted.

**PLANNING BOARD - 29/08/19**

**31. UPDATES**

The following update information was provided:-

- (a) Appeal – single storey side & rear extension to existing building to form A1 retail unit including ATM and associated works at land adjacent to The Cutler Public House, Woodsetts Road, North Anston for Tesco Stores Limited (RB2015/0777)

An appeal hearing for the above, which was refused by the Planning Board on 21st June, 2018, was now scheduled to take place on Tuesday, 10<sup>th</sup> September, 2019 in the Gallery at Riverside House.

Anyone who would like to attend was welcome to do so.

Resolved:- That the information be noted.

**32. DATE OF NEXT MEETING**

Resolved:- That the next meeting of the Planning Board take place on Thursday, 19<sup>th</sup> September, 2019 at 9.00 a.m.

**PLANNING BOARD  
19th September, 2019**

Present:- Councillor Sheppard (in the Chair); Councillors Atkin, Bird, D. Cutts, Jarvis, Mallinder, Sansome, Steele, Tweed, Whysall and Williams.

Apologies for absence were received from Councillors M. Elliott and Walsh.

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

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

**33. DECLARATIONS OF INTEREST**

Councillor Jarvis declared personal interests in applications RB2019/1019 (change of use) and RB2019/1021 (Listed Building Consent) for Talbot Lane Methodist Church, Moorgate Street, Rotherham for Grimm & Co. on the basis of the applicant being a former colleague and left the room to observe from the gallery whilst the applications were discussed.

**34. MINUTES OF THE PREVIOUS MEETING**

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 29<sup>th</sup> August, 2019, be approved as a correct record of the meeting.

**35. DEFERMENTS/SITE VISITS**

There were no site visits nor deferments recommended.

**36. DEVELOPMENT PROPOSALS**

Resolved:- (1) That, on the development proposals now considered, the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

In accordance with the right to speak procedure, the following people attended the meeting and spoke about the applications below:-

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- Conversion of existing PH to 10 No. apartments (Use Class C3) at Red Lion Hotel, Main Street, Catcliffe for Mr. Brown (RB2019/0384)

Mr. G. Thirlwall (Applicant)

- Raising of land levels by 300mm and erection of detached garage. at 82 Swinston Hill Road, Dinnington for Mr. and Mrs. D. Morton (RB2019/0873)

Additional representation from resident at No. 33 Birkdale Avenue was read out by officers at the meeting.

- Single storey rear extension with roof lights and rear dormer windows at 20 Boyd Road, Wath-upon-Dearne for Mr. S. Braisby (RB2019/0964)

Mr. S. Braisby (Applicant)  
Mr. J. Fearn (Objector)  
Mr. J. Dickinson (Objector)  
Mrs. E. Dawson (Objector)  
Ms. B. Martin (Objector)

- Change of use to mixed use (comprising of teaching, performance and learning spaces, café, retail and associated office (use class Sui Generis)) with internal alterations, extract flue, fence (1.8m high), gate (2.5m high) and freestanding canopy to front with associated landscaping at Talbot Lane Methodist Church, Moorgate Street, Rotherham Town Centre for Grimm and Co. Limited (RB2019/1019)

and

- Listed Building Consent for change of use to mixed use (comprising of teaching, performance and learning spaces, café, retail and associated office (use class Sui Generis)) with internal alterations, and extraction flue at Talbot Lane Methodist Church, Moorgate Street, Rotherham Town Centre for Grimm and Co. Ltd. (RB2019/1021)

Ms. D. Bullivant (Applicant)  
Mr. P. Chapman (Objector)  
Dr. S. G. Boyce (Objector)  
Dr. David Sykes (Objector)

- Subdivision and change of use of ground floor into coffee shop (A1/A3) to rear and a restaurant with hot food takeaway (A3/A5) to front and upper floor into studio apartment, demolish front extension and create shop fronts at 186 Bawtry Road, Wickersley for QFM Group (RB2019/1038)

Mr. S. Simms (on behalf of the Applicant)  
Councillor Sue Ellis (Objector)

(2) That application RB2019/0384 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report with the inclusion of the following plan in Condition No. 2.

(Amended Elevations 10 Rev D) (Received 17 September 2019)

(3) That the Planning Board declares that it is not in favour of application RB2019/0873 and that the application be refused on the grounds the garage would be an incongruous and prominent feature within the streetscene when viewed from Birkdale Avenue due to its excessive height, contrary to Local Plan Policies CS28 'Sustainable Design', and SP55 'Design Principles' and the provisions of the NPPF and that the Chairman and the Vice-Chairman be authorised to approve the precise wording of the reason for refusal.

(4) That application RB2019/0964 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and subject to an amendment to Condition No. 2 to include Level 3 obscured glazing to the bathroom and landing windows.

(5) That applications RB2019/1019 and RB2019/1021 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(6) That application RB2019/1038 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and subject to an additional condition requesting the placement of a litter bin on the forecourt.

### **37. UPDATES**

Further to Minute No. 31 of the meeting of the Planning Board held on 29<sup>th</sup> August, 2019, the following update information was provided:-

(a) Appeal – single storey side & rear extension to existing building to form A1 retail unit including ATM and associated works at land adjacent to The Cutler Public House, Woodsetts Road, North Anston for Tesco Stores Limited (RB2015/0777)

The appeal hearing took place on Tuesday, 10<sup>th</sup> September, 2019 in the Gallery at Riverside House and the decision by the Inspector would be delivered in due course.

Resolved:- That the information be noted.



**PLANNING BOARD - 19/09/19**

**38. DATE OF NEXT MEETING**

Resolved:- That the next meeting of the Planning Board take place on Thursday, 10<sup>th</sup> October, 2019 at 9.00 a.m.

**PLANNING BOARD  
10th October, 2019**

Present:- Councillor Sheppard (in the Chair); Councillors Atkin, Bird, D. Cutts, Sansome, Steele, Tweed, Walsh, Whysall and Williams.

Apologies for absence:- Apologies were received from Councillors M. Elliott and Jarvis.

**39. DECLARATIONS OF INTEREST**

There were no Declarations of Interest reported.

**40. DEFERMENTS/SITE VISITS**

There were no deferments or site visits recommended.

**41. DEVELOPMENT PROPOSALS**

Resolved:- (1) That, on the development proposals now considered, the requisite notices be issued and be made available on the Council's website and that the time limits specified in Sections 91 and 92 of the Town and Country Planning Act 1990 apply.

In accordance with the right to speak procedure, the following people attended the meeting and spoke about the applications below:-

- Erection of 14 No. flats with basement & accommodation in roof space, access and car parking & associated works at land adjacent 279 Kimberworth Road, Kimberworth for Mrs. M. Brown (RB2018/1602)

Mr. R. Varo (Objector)  
Mr. A. Bellamy (Objector)

- Demolition of existing building and erection of 2 No. dwellinghouses at Ye Olde Cartwheel, Main Street, Brookhouse for Wildsmith (RB2018/1715)

Mr. P. Watson (on behalf of the Applicant)  
Mr. M. Huntington (Objector)

PLANNING BOARD - 10/10/19

- Demolition of some buildings on site and proposed use of land and buildings for plant, machinery and equipment auction scheme and erection of check-in building, construction of 3.1m display ramp, 2.4m fencing and 6 x 10m lighting columns, all for a 27 year period at Maltby Colliery, Tickhill Road, Maltby for Hargreaves Land Limited (RB2019/0639)

Mr. L. Weatherall (Applicant)

- Erection of dwellinghouse and detached garage at land to the rear of 1 Firbeck Lane, Laughton-en-le-Morthen for Mr. Gibbs (RB2019/0811)

Mr. P. Watson (on behalf of the Applicant)

Mr. C. Mellor (Objector)

(2) That, with regard to application RB2018/1602:-

(a) subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 with the developer for the purposes of securing a commuted sum of £40,000 towards off-site affordable house; and

(b) subject to the satisfactory securing of such an agreement, the Council resolves to grant planning permission for the proposed development subject to the reasons for grant and conditions listed in the submitted report.

(3) That application RB2018/1715 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(4) That, with regard to application RB2019/0639:-

(a) subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 with the developer for the purposes of securing:-

- Replacement planting to mitigate the loss of trees within the application site.
- Provision of bat and bird boxes.

and, (b) subject to the satisfactory securing of such an agreement, the Council resolves to grant planning permission for the proposed development subject to the reasons for grant and conditions listed in the submitted report.

(5) That application RB2019/0811 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and subject to a further condition removing any further permitted development rights in relation to this property.

**42. PROPOSED TREE PRESERVATION ORDER NO 2, 2019 - 10 SANDYGATE, WATH UPON DEARNE, ROTHERHAM**

Consideration was given to a report of the Assistant Director of Planning, Regeneration and Transport concerning the proposed confirmation and serving of a Tree Preservation Order without modification with regards to the trees which were the subject of this report, situated on land adjacent to 10 Sandygate, Wath upon Dearne under Section 198 and 201 of the Town and Country Planning Act 1990.

The two cherry trees were protected by Wath upon Dearne Conservation Area.

A Section 211 Notice to prune the cherry trees was submitted under application reference RB2019/0393. The intended work was to crown reduce the trees to around their previous points to leave more frith and create balanced crowns and alleviate issues of obstruction to the business premises.

It was considered the proposed work would adversely affect their appearance and result in a loss of amenity to the conservation area. As such, a Tree Preservation Order was placed on the trees under a new TPO No. 2 2019 on 17th April, 2019 and all interested parties notified.

The report detailed the objections to the making of this Tree Preservation Order and also made reference to the trees standing on land owned by the applicant which should be maintained the Council, the obstruction to the public view of the business, the need for a safe planting distance and the commercial and criminal affect the trees have created.

In accordance with the right to speak procedure, Mr. A. Harris (Objector) attended the meeting and spoke about this proposed Order.

The report detailed the comments by the Tree Service Manager who had considered the objection raised and concluded that the trees were of good quality and provided an excellent level of amenity to the local area. They were likely to be capable of providing at least this level of amenity for the next forty years.

The objections to the Order have been carefully considered and that the Order had been made in accordance with Government guidelines. In this instance, it is recommended that the Order be confirmed without modification.

Resolved:- (1) That the report be received and its contents noted.

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(2) That the serving of Tree Preservation Order No. 2, 2019, be confirmed without modification with regard to the two Cherry trees subject of this report, situated on land at 10 Sandygate, Wath upon Dearne under Section 198 and 201 of the Town and Country Planning Act 1990.

**43. UPDATES**

Further to Minute No. 111 of the meeting of the Planning Board held on 16th May, 2019, regarding application RB2018/1774 (change of use to micro pub (Use Class A4) and erection of lobby area and smoking shelter) an update was provided on the appeal status. It was noted that the two appeals; one against the refusal of planning permission and the other against the Enforcement Notice, had not been linked. The Inspector dealing with the appeal for planning permission dismissed this in the Council's favour and a decision on the Enforcement Notice was still awaited.

A more in-depth update on the two appeal decisions would be provided in due course.

Resolved:- That the information be noted.

**44. DATE OF NEXT MEETING**

Resolved:- That the next meeting of the Planning Board take place on Thursday, 31<sup>st</sup> October, 2019 at 9.00 a.m.

**STAFFING COMMITTEE**  
**25th September, 2019**

Present:- Councillor Alam (in the Chair); Councillors Cowles and Read.

An apology for absence was received from Councillor Watson.

**19. GMB WORK TO STOP DOMESTIC ABUSE CHARTER**

Consideration was given to the report presented by the Assistant Director, Human Resources and Organisational Development, which provided detail of GMB's Work to Stop Domestic Abuse Charter.

The Charter set out measures that GMB would like employers to put in place to support employees that were experiencing Domestic Abuse; enabling them to access support services and information confidentially.

Further details were provided on the statistics related to persons who had experienced domestic abuse as per the Crime Survey for England and Wales, the number of recorded incidents, arrests and convictions and the contexts of abuse. The recorded incidents in Rotherham were also highlighted.

GMB were, therefore, seeking authority to work with employers to put in place access to support services and for them to take all reasonable measures to protect employees suffering abuse being disadvantaged in the workplace and to qualify employers must agree to five standards, which were set out in detail as part of the report.

The Committee noted, therefore, that the Council's current practices were already in line with the key principles of the Charter and supported by Health and Safety legislation designed to ensure that workers have the right to work in a safe environment where risks to health and wellbeing were considered and dealt with effectively.

In addition, the Council also provided advice and guidance through specialist employees in the Independent Domestic Advisory Service situated in Adult Services and employees have access to support from the employee assistance programme provided as part of the Occupational Health contract.

It was also noted that three quarters of the Council's workforce lived in Rotherham and the Council worked with partner organisations through the Rotherham Safer Partnership to protect children, young people and families from all forms of abuse, violence and neglect.

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Discussion ensued on the impact of such abuse on the Council, the level of resources available to safeguard this support, how this Charter already linked in with the wider partnership working and how this would be promoted moving forward.

\* **Resolved:- (1) That Council be recommended to approve the authority being a signatory to GMB's Work to Stop Domestic Abuse Charter.**

(2) That details of how the Council currently meets the aims of the Charter, how it supports the Council Plan priorities, safeguarding principles and the work of the Rotherham Safer Partnership be noted.

**LICENSING BOARD SUB-COMMITTEE**  
**23rd August, 2019**

Present:- Councillor Jones (in the Chair); Councillors Albiston, Buckley, Hague and McNeely.

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

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

**14. REVIEW OF A PRIVATE HIRE OPERATOR'S LICENCE**

Consideration was given to a report of the Licensing Manager, relating to an application for the review of a private hire operator's licence in respect of Mr. MKhS, Billy's Cars.

Despite the hearing having been arranged in consultation with Mr. MKhS and agreed as a convenient date and time, Mr. MKhS and his representative were unable to attend the hearing.

The Sub-Committee considered the representations for deferment together with the fact that the review had been deferred once and re-arranged for a mutually agreed date and time, and decided to hear the review in the absence of the private hire operator.

Resolved:- That the private hire operator's licence in respect of Mr. MKhS be revoked.



**LICENSING BOARD SUB-COMMITTEE  
2nd September, 2019**

Present:- Councillor Ellis (in the Chair); Councillors Beaumont, Marriott, Sheppard and Vjestica.

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

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

**16. APPLICATIONS FOR THE GRANT/RENEWAL/REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES**

The Sub-Committee of the Licensing Board considered a report of the Licensing Manager relating to applications for the review of hackney carriage/private hire drivers' licences in respect of Messrs. M.E., T.H., M.S., A.S. and M.I.

Messrs M.E., T.H., M.S. and A.S. together with their representatives, attended the meeting and were interviewed by the Sub-Committee.

Resolved:- (1) That the hackney carriage/private hire driver's licence in respect of Mr. M.E. be revoked.

(2) That as a consequence of the review of the hackney carriage/private hire driver's licence in respect of Mr. T.H. he be issued with a formal written warning as to his future conduct, specifically in relation to appropriate parking and in his behaviour when dealing with people in authority.

(3) That as a consequence of the review of the hackney carriage/private hire driver's licence in respect of Mr. M.S. he be suspended until such time as he satisfactorily completes an advanced practical driving test, the details of which would be provided by the Council.

(4) That the application for the grant of a hackney carriage/private hire driver's licence in respect of Mr. A.S. be refused.

(5) That consideration of the review of a hackney carriage/private hire drivers' licence in respect of Mr. M.I. be deferred and he be afforded the opportunity of attending a future meeting of the Licensing Board Sub-Committee.

(Councillor Sheppard declared he had had contact with one of the representatives of hackney carriage/private hire drivers' socially on social media)

**LICENSING BOARD SUB-COMMITTEE**  
**16th September, 2019**

Present:- Councillor Ellis (in the Chair); Councillors Clark, Jones, Reeder and Vjestica.

**17. HOUSE TO HOUSE COLLECTION PERMIT APPLICATIONS**

Consideration was given to a report, presented by the Licensing Manager, concerning the following applications for the grant of promoter's permits to carry out a house-to-house collection:-

Organisation	Area	Date
Combat Cancer	As allocated by the Licensing Office	20 <sup>th</sup> September, 2019 and 30 <sup>th</sup> August, 2020
Cancer Research and Genetics UK	Whole of Borough	30 <sup>th</sup> September, 2019 and 30 <sup>th</sup> September, 2020

Resolved:- (1) That, in accordance with the provisions of the House to House Collections Act 1939, the application by Combat Cancer for a promoter's permit be refused on the grounds:-

- That the total amount likely to be applied for charitable purposes as a result of the collection was inadequate in proportion to the values of the proceeds likely to be received.
- That remuneration in relation to the total amount is likely to be, or has been, retained or received out of the proceeds of the collection.

(2) That, in accordance with the provisions of the House to House Collections Act 1939, the application by Cancer Research and Genetics UK for a promoter's permit be refused on the grounds:-

- That the total amount likely to be applied for charitable purposes as a result of the collection was inadequate in proportion to the values of the proceeds likely to be received.
- That remuneration in relation to the total amount is likely to be, or has been, retained or received out of the proceeds of the collection.

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

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

**19. APPLICATIONS FOR THE GRANT/RENEWAL/REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES**

The Sub-Committee of the Licensing Board considered a report of the Licensing Manager relating to applications for the review of hackney carriage/private hire drivers' licences in respect of Messrs. M.W.A., G.A.A.H., A.R. and A.M.I.

Messrs M.W.A. and G.A.A.H. attended the meeting and were interviewed by the Sub-Committee.

Resolved:- (1) That the hackney carriage/private hire driver's licence in respect of Mr. M.W.A. be granted.

(2) That the hackney carriage/private hire driver's licence in respect of Mr. G.A.A.H. be granted.

(3) That consideration of the review of a hackney carriage/private hire drivers' licence in respect of Mr. A.R. be deferred and he be afforded the opportunity of attending a future meeting of the Licensing Board Sub-Committee.

(4) That consideration of the review of a hackney carriage/private hire drivers' licence in respect of Mr. A.M.I. be deferred and he be afforded the opportunity of attending a future meeting of the Licensing Board Sub-Committee.

**20. APPLICATION FOR EXEMPTION TO AFFIX PLATES TO A LICENSED VEHICLE**

The Sub-Committee of the Licensing Board considered a report, presented by the Licensing Manager, relating to an application from Mr. N.R. for an exemption from the requirements of the Council's Hackney Carriage and Private Hire Licensing Policy in respect of the licence plate and door signs being affixed to licensed vehicle NA60 XXX.

Mr. N.R. attended the meeting and presented his case to the Sub-Committee for the exemption from requirements of the Council's Hackney Carriage and Private Hire Licensing Policy and explained the extenuating circumstances relating to his request.

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Resolved:- That the request from Mr. N.R. for an exemption from the Council's Licensing Policy in relation to the requirements to affix a licence plate and door signs to his licensed vehicle NA60 XXX be refused in respect of the licensed vehicle described in the report now submitted.

**21. RENEWAL OF A PRIVATE HIRE LICENCE (AGE EXEMPTION)**

Consideration was given to a request for an exemption from the Licensed Vehicle Age Policy (Appendix I to the Council's Taxi Licensing Policy) as the vehicle had first been registered more than five years ago for a private hire vehicle licence in respect of vehicle with registration LV63 XXX.

The vehicle owner attended the meeting and was interviewed by the Sub-Committee.

Resolved:- That the request for an exemption from the Licensed Vehicle Age Policy in respect of vehicle with registration LV63 XXX be refused.

**LICENSING BOARD SUB-COMMITTEE**

**Friday, 4th October, 2019**

Present:- Councillor Ellis (in the Chair); Councillors Albiston, Buckley, McNeely and Napper.

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

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

**23. APPLICATION FOR THE REVIEW OF A PRIVATE HIRE OPERATOR LICENCE**

Consideration was given to a report of the Licensing Manager, relating to an application for the review of a private hire operator's licence in respect of Mr. K.H. (Fast 4's).

The hearing today was originally scheduled for the 14<sup>th</sup> August, 2019, but was adjourned at the licence holder's request due to it being Eid and confirmed today in consultation with licence holder and his legal representative.

Mr. K.H. and his legal representative attended the meeting and were interviewed by the Sub-Committee.

Resolved:- That the private hire operator's licence in respect of Mr. K.H. be revoked.

**LICENSING BOARD SUB-COMMITTEE**  
**Monday, 14th October, 2019**

Present:- Councillor Ellis (in the Chair); Councillors Beaumont, Marriott, Sheppard and Wyatt.

**24. HOUSE TO HOUSE COLLECTION PERMIT APPLICATIONS**

Consideration was given to a report, presented by the Licensing Manager, concerning the following applications for the grant of promoter's permits to carry out a house-to-house collection:-

Organisation	Area	Date
Child and Teenage Cancer and Leukaemia Foundation	Whole of the Borough	1 <sup>st</sup> January, 2020 and 31 <sup>st</sup> December, 2020
National Hereditary Breast Cancer Helpline	Whole of Borough	Not specified
Mexborough Lions Club	Housing estates in Manvers, Swinton and Brampton	4 <sup>th</sup> December, 2019 – 16 <sup>th</sup> December, 2019
Breast Cancer Research Aid	As allocated by the Licensing Office	1 <sup>st</sup> November, 2019 – 30 <sup>th</sup> October, 2020
Beads of Courage UK (formerly Be Child Cancer Aware)	Whole of the Borough	1 <sup>st</sup> January, 2020 – 31 <sup>st</sup> December, 2020
Just Helping Children Charity	Whole of the Borough	28 <sup>th</sup> October, 2019 – 1 <sup>st</sup> December, 2019

Resolved:- (1) That, in accordance with the provisions of the House to House Collections Act 1939, the following applications be approved and a promoter's permit be granted in respect of the organisations/charities shown for the dates listed above:-

Child and Teenage Cancer and Leukaemia Foundation  
National Hereditary Breast Cancer Helpline  
Mexborough Lions Club  
Just Helping Children

(2) That, in accordance with the provisions of the House to House Collections Act 1939, the applications by Breast Cancer Research Aid and Beads of Courage UK (formerly Be Child Cancer Aware) for a promoter's permit be refused on the grounds:-

- That the total amount likely to be applied for charitable purposes as a result of the collection was inadequate in proportion to the values of the proceeds likely to be received.
- That remuneration in relation to the total amount is likely to be, or has been, retained or received out of the proceeds of the collection.

## 25. HOUSE TO HOUSE COLLECTION PERMIT APPLICATION

Consideration was given to a report, presented by the Licensing Manager, concerning the following application for the grant of a promoter's permit to carry out a house-to-house collection:-

Organisation	Area	Date
Samuel's Charity	Whole of the Borough	11 <sup>th</sup> November, 2019 – 10 <sup>th</sup> November, 2020

Resolved:- That, in accordance with the provisions of the House to House Collections Act 1939, the application by Samuel's Charity for a promoter's permit be refused on the grounds:-

- That the total amount likely to be applied for charitable purposes as a result of the collection was inadequate in proportion to the values of the proceeds likely to be received.
- That remuneration in relation to the total amount is likely to be, or has been, retained or received out of the proceeds of the collection.

## 26. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

## 27. APPLICATIONS FOR THE GRANT/RENEWAL/REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES

The Sub-Committee of the Licensing Board considered a report of the Licensing Manager relating to applications for the review of hackney carriage/private hire drivers' licences in respect of Messrs. W.H., H.S., A.R. and M.I.



**LICENSING BOARD SUB-COMMITTEE - 14/10/19**

Messrs. W.H. and M.I., together with his representative, attended the meeting and were interviewed by the Sub-Committee.

It was noted that Mr. A.R. had handed his licence in prior to the meeting taking place.

During the hearing, Mr. W.H. decided to withdraw his application.

Resolved:- (1) That the withdrawal of the application by Mr. W.H. be noted.

(2) That consideration of the review of a hackney carriage/private hire drivers' licence in respect of Mr. H.S. be deferred and he be afforded the opportunity of attending a future meeting of the Licensing Board Sub-Committee.

(3) That the surrender of the license in respect of Mr. A.R. be noted.

(4) That no action be taken with regard to Mr. M.I.

(Councillor Sheppard declared he had had contact with representative of one of the hackney carriage/private hire drivers' socially on social media.)

**LICENSING SUB-COMMITTEE  
Monday, 14th October, 2019**

Present:- Councillor Ellis (in the Chair); Councillors Beaumont and McNeely.

**4. LICENSING ACT 2003 - LICENCE - PLATINUM LOUNGE, UNIT 5, IMPERIAL BUILDINGS, HIGH STREET, ROTHERHAM**

The Sub-Committee considered an application for the grant of a premises licence, in accordance with Section 17 of the provisions of the Licensing Act 2003, in respect of the premises known as the Platinum Lounge, Unit 5, Imperial Buildings, High Street, Rotherham.

The premises were previously a hair/beauty salon and the applicant had redeveloped the unit into a bar/coffee shop.

Following the submission of the application paperwork, it became apparent that an error had been made during the application process. The consequence of this was that the twenty-eight day period for consultation was extended until the 18<sup>th</sup> September, 2019. During this consultation period, a number of concerns were raised by representatives of the Responsible Authorities that had dealings with the applicant. In addition, two representations were received from interested parties that wished to voice their concerns in relation to the application that had been made.

The Applicant had agreed to add a number of conditions to his licence that addressed many of the concerns raised by the Responsible Authorities. However, the Licensing Authority remained concerned by the conduct of the applicant and the general condition of the premises and had submitted a representation to the application (in its role as a Responsible Authority).

The Licensing Authority having received two representations from interested parties and from the Responsible Authority, which were not withdrawn, and the Sub-Committee considered those representations. In addition, the Responsible Authority further circulated witness statements from other Responsible Authorities which were considered by all present.

The Licensing Authority (in its role as Responsible Authority) outlined the basis of their representation and the concerns about the general condition of the premises, the risks to individuals attending the premises, why it was not confident the Applicant would be willing to manage, engage, comply and co-operate and the Applicant's ability to promote the licensing objectives.

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The Applicant referred to his own background and experience, the negativity in the representations, the intended use of the building, proposed opening times and informed the Sub-Committee that he had been operating legally by way of Temporary Event Notices.

The Sub-Committee was also updated by the Applicant on the current compliance works and upgrades, co-operation with Responsible Authorities, challenges to the security staff recommendations and the tighter discriminatory restrictions being placed on these premises (all of which could be evidenced).

Included within the bundle of documents submitted to this hearing were the additional conditions of licence suggested by the Borough Council as Licensing Authority.

The Applicant confirmed his acceptance of these conditions, as well as the intention to promote the four Licensing objectives as defined by the Licensing Act 2003.

The representations were given full consideration as they related to the condition of the premises, compliance and undermining of the Public Safety and Prevention of Crime and Disorder licensing objectives and the co-operation and demeanour of the Applicant.

The Sub-Committee were also advised that the Applicant intended initially being the Designated Premises Supervisor, but would eventually transfer this responsibility and management to two female members of staff.

The Applicant's representative spoke of his own involvement, support and admiration for the Applicant in his drive to succeed. He acknowledged the difficulties being faced making the premises fully compliant and how the Applicant's general demeanour could be perceived by others in his passion to make the project work.

In conclusion, the Sub-Committee took due note of all the representations made and the concerns about the venue's condition, management of the premises, the inconsistencies in the Applicant's perception and behaviour and lack of engagement with the Responsible Authorities in respect of this application.

The Sub-Committee considered the application for this premises licence and the representations made specifically in the light of the following Licensing objectives (as defined in the 2003 Act):-

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

**Resolved:-** That the application for a Premises Licence made by the Platinum Lounge, under the provisions of the Licensing Act 2003, in respect of Unit Five, Imperial Buildings, High Street, Rotherham, be refused.