

**COUNCIL MEETING
10th March, 2021**

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

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

467. ANNOUNCEMENTS

There were no announcements.

468. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Hague.

469. COMMUNICATIONS

There were no communications.

470. DECLARATIONS OF INTEREST

Councillor Jepson declared a personal interest in agenda item 10 (Recommendation from The Standards and Ethics Committee - Outcome of a Standards and Ethics Sub-Committee Hearing regarding the alleged breach of the Code of Conduct - Councillor Ireland).

Councillors Cowles, Ellis and M Elliott declared a personal interest in agenda item 11 (Recommendation from The Standards and Ethics Committee - Outcome of a Standards and Ethics Sub-Committee Hearing regarding the alleged breach of the Code of Conduct - Councillor Ellis).

471. EXCLUSION OF THE PRESS AND PUBLIC

There were no items that required the exclusion of the press or public.

472. STANDARDS AND ETHICS COMMITTEE

Resolved: - That the reports, recommendations and minutes of the meeting of the Standards and Ethics Committee held on 21st January, 2021, be adopted.

473. RECOMMENDATION FROM THE STANDARDS AND ETHICS COMMITTEE - LGA MODEL MEMBER CODE OF CONDUCT

Pursuant to Standard and Ethics Committee Minute No.106 (2020/21), consideration was given to a report than recommended that the Local Government Association's Model Code of Conduct be adopted by the Council.

The Local Government Association Model Councillor Code of Conduct 2020 was attached as an appendix to the officer's report.

Resolved: - That the Local Government Association Model Councillor Code of Conduct be adopted by the Council.

474. AUDIT COMMITTEE

Resolved: - That the reports, recommendations and minutes of the meeting of the Audit Committee held on 19th January, 2021, be adopted.

475. HEALTH AND WELLBEING BOARD

Resolved: - That the reports, recommendations and minutes of the meeting of the Health and Wellbeing Board held on 13th January, 2021, be adopted.

Mover: - Councillor Roche Seconder: - Councillor Mallinder

476. RECOMMENDATION FROM THE STANDARDS AND ETHICS COMMITTEE - OUTCOME OF STANDARDS AND ETHICS SUB-COMMITTEE HEARING REGARDING THE ALLEGED BREACH OF THE CODE OF CONDUCT - COUNCILLOR IRELAND

Councillor Jepson who had declared an interest in this item left the meeting at this point and did not take place in the subsequent discussion and vote.

Consideration was given to a report that set out the outcome of a Standards and Ethics Sub Committee Hearing that took place on 18th January, 2021, in relation to an alleged breach of the Anston Parish Council Code of Conduct by Anston Parish Councillor Jonathan Ireland.

It was noted that a complaint had considered at the Sub-Committee Hearing that alleged that:

The Subject Member had breached the Anston Parish Council Code of Conduct by making comments under the pseudonym "Anstonian" on a social media blog site, named Anston Parish Council Watch. The comment was in the context of a contract awarded to a local firm of surveyors by Anston Parish Council. A statement has been received from the owner of that firm of surveyors who considered the statement to be defamatory.

As set out in the Decision Record, the Sub-Committee found that Parish Councillor Ireland had made the posts under the pseudonym of Anstonian and due to the content of the post was in breach of the Code of Conduct in that he had failed to treat others with respect. It was noted further the Sub-Committee had also found that by making the post Parish Councillor Jonathan Ireland had conducted himself in a manner that could reasonably be regarded as bringing his office of Parish Councillor and the Parish Council into disrepute.

The full Decision Record in respect of the complaint and Hearing was attached as an appendix to the officer's report.

As a result of their considerations, the Sub-Committee decided that the following sanctions should be applied to Parish Councillor Jonathan Ireland:

1. The Member shall be censured.
2. The formal decision notice setting out the findings of the Sub-Committee shall be published on agenda of the next meeting of the Standards and Ethics Committee.
3. That the findings in respect of the Subject Member's conduct should be published on the Council's website.
4. That the findings should be reported to full Council for information.

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5. That the Councillor's Group Leader be recommended to remove the Subject Member from the Council's Standards and Ethics Committee.

During the discussion on the item it was noted by the Leader that Councillor Ireland had voluntarily resigned his seat on the Standards and Ethics Committee.

Resolved: - That the outcome of the Standards and Ethics Sub-Committee Hearing held on 18 January 2021 be noted.

Seconder: Councillor Clark

Councillor Jepson re-joined the meeting at this point.

477. RECOMMENDATION FROM THE STANDARDS AND ETHICS COMMITTEE - OUTCOME OF STANDARDS AND ETHICS SUB-COMMITTEE HEARING REGARDING THE ALLEGED BREACH OF THE CODE OF CONDUCT - COUNCILLOR ELLIS

Councillors Cowles, Ellis and M. Elliott who had declared an interest in this item left the meeting at this point and did not take place in the subsequent discussion and vote.

Consideration was given to a report that set out the outcome of a Standards and Ethics Sub Committee Hearing that took place on 18th January, 2021, in relation to an alleged breach of the Code of Conduct by Councillor Sue Ellis.

It was noted that at the Sub-Committee Hearing that two similar complaints had been considered to the effect that Councillor Ellis had been overpaid in respect of her Chairing of the South Yorkshire Pensions Authority after she had finished in that role.

The Sub-Committee Hearing had found that Councillor Ellis' conduct did amount to a breach of the Council's Code of Conduct under General Obligations Section 5 – “you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute”. However, the Sub-Committee did not find a breach of the Code of Conduct in relation to the sixth Nolan Principle - Honesty.

The full Decision Record in respect of the complaint and Hearing was attached as an appendix to the officer's report.

As a result of their considerations, the Sub-Committee decided that the following sanctions should be applied to Councillor Sue Ellis:

- #### **1. The Member shall be censured**

2. The formal decision notice setting out the findings of the Sub-Committee shall be published on agenda of the next meeting of the Standards and Ethics Committee
3. That the findings in respect of the Subject Member's conduct should be published on the Council's website.
4. That the findings should be reported to full Council for information.

Resolved: - That the outcome of the Standards and Ethics Sub-Committee Hearing held on 18th January. 2021, be noted.

Mover: Councillor McNeely

Seconder: Councillor Clark

Councillors Cowles, Ellis and M Elliott re-joined the meeting at this point.

478. PLANNING BOARD

Resolved: - That the reports, recommendations and minutes of the meeting of the Planning Board held on 4th February, 2021, be adopted.

Mover: - Councillor Sheppard

Seconder: - Councillor Williams

479. STAFFING COMMITTEE

Resolved: - That the reports, recommendations and minutes of the meeting of the Staffing Committee held on 10th February, 2021, be adopted.

Mover: - Councillor Alam

Seconder: - Councillor Read

480. RECOMMENDATION FROM THE STAFFING COMMITTEE - PAY POLICY STATEMENT 2021

Further to Minute No. 39 of the Staffing Committee held on 10th February, 2021, consideration was given to a report that detailed the proposed the Pay Policy Statement for 2021-22.

It was noted that the Localism Act 2011, Chapter 8 Pay Accountability, made it a legal requirement for authorities to produce and publish a Pay Policy Statement by 31st March each year and that this must be agreed by Council and detail the remuneration of its Chief Officers. The Pay Policy Statement for 2021-22 was attached as an appendix to the officer's report

Resolved: - That the Pay Policy Statement for 2021-22 be approved.

Mover: - Councillor Alam

Seconder: - Councillor Read

481. LICENSING BOARD

Resolved: - That the reports, recommendations and minutes of the meeting of the Licensing Board Sub-Committee held on 1st February, 2021, be adopted.

Mover: - Councillor Ellis

Seconder: - Councillor Beaumont

482. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

(1) Councillor Cowles referred to a recent article in the local paper by the Police and Crime Commissioner, in his bleeding-heart comment about how sorry he was to impose a further tax increase on hard working people. He said he would first need to consult; but did not say with whom. Since it was not Joe Public, with whom did he consult?

Councillor Sansome explained the Police and Crime Commissioner (PCC) had a statutory duty to consult with the public and with rate payers to obtain their views before the precept was set and, although Councillor Cowles obviously missed it, that was what he had done.

This year a pre-consultation on policing priorities and willingness to pay more in their Council Tax was undertaken during the autumn. Then, on 19th December, 2020, the PCC launched the formal statutory consultation around the setting of the precept.

During the 4 week period the survey was promoted heavily across the OPCC social media channels (Twitter and Facebook) and was supported by South Yorkshire Police social media accounts – both corporate and neighbourhood accounts – as well as on social media accounts of partners. The survey was circulated twice via SYP Alerts to in excess of 30,000 residents who have signed up to receive the service via email. It was also supported by a press release and articles within the local media.

A total of 2,160 responses were received and the results show that 67% of respondents were supportive of the maximum £15 (Band D property) increase, which was 19p per week.

In a supplementary question Councillor Cowles asked when the PCC wrote articles why did he not make this clear and then residents would not need to ask. The point being was why did the PCC want an increase when people have suffered in the way they have. Even in his Ward Councillor Cowles was aware of many self-employed people who were increasingly upset about this approach and suggested that any increase in Council Tax for this should be matched with increases in productivity. He asked, therefore, would Councillor Sansome go back to the PCC and make that recommendation to him.

Councillor Sansome was concerned that residents were raising their concerns with Councillor Cowles. During his time on the Police and Crime Panel there had been no questions from the public to the PCC from the Sitwell Ward. Councillor Sansome struggled to understand the correlation.

In terms of performance of the PCC, this was measured and considered by Police and Crime Panel; a Panel which Councillor Cowles was nominated to and did not take up the seat, yet continued to write letters to the local press.

483. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRPERSONS

(1) **Councillor Fenwick-Green** referred to one of the main messages being heard during the pandemic, stay at home, protect the NHS and save lives. She asked what measures did the Cabinet Member feel needed to be taken to ensure the NHS was protected, both now and in the future?

Councillor Roche explained he was very proud of the NHS, but needed adjustment with some areas requiring improvement. Throughout the pandemic the NHS had come under excess strain and pressures, such as in the number of patients in areas like critical care where these pressures affected both primary and secondary care. Rotherham could be especially proud of its vaccination roll-out which had already started to show the impacts on the severity of illness. The success was partly due to the fantastic partnerships in Rotherham in the health and care field. The work done by the Rotherham Clinical Commissioning Group (RCCG), Rotherham Council and NHS had been fantastic and deserved our praise and thanks.

The NHS did need protection and the pandemic had shown this. Before the pandemic there were signs of weakness in the NHS and there were attempts to run it down and make it ripe for privatisation. The potential move to an American health care system would be a disaster. This Council had committed itself to resisting any further privatisation of the NHS.

The NHS could not work on a supermarket just in time model. The lack of availability of PPE in everyday life showed that very clearly the NHS needed the cushion to be ready for divergences, especially in the need of critical care beds to ensure these were available when needed.

It was hard to see how a product company could make a profit in running the NHS without reducing standards or service. Nevertheless, creeping privatisation by stealth was being seen. Only 2 weeks ago a USA company took over a large number of GP surgeries in London making it the biggest provider of GP services in the UK.

Coventry had also seen a takeover with a private healthcare company running its hospitals despite the fact it had been severely criticised. Currently 26% of NHS contracts were private. The NHS should be for people and not for profit, although of course the supply of drugs and equipment would have to be from private companies.

What was of concern was the long-term sustainability and focus needed to be given to workforce issues and pressures. A five-year plan for its nurses had been agreed, with them due to get 2.1% increase that was agreed by the present Tory Government yet only a couple of weeks ago they reduced this to 1%. This was shocking after all the country had been through.

There was a need for more work to support the NHS in preventative services and early intervention and in restoration of elective care following the pandemic. These health inequalities needed support in integrated fashion with CCG's and Councils. The White Paper had some positive and negative elements that would centralise some services, but it totally missed out and intervention in social care of adults and children.

A seminar on this topic was proposed in the near future. The Cabinet Member hoped all Members agreed with him that the NHS should not move to an American-style system and the NHS needed to be maintained as a public organisation free at the point of delivery.

In a supplementary question Councillor Fenwick-Green asked after last week's budget was it fair to assume the Government had no intention of saving the NHS and it was up for sale.

Councillor Roche confirmed the NHS was receiving extra money rightly for the pandemic, but in looking at the spending plans for the future these were going to reduce down again. The NHS would need support over a number of years with Long Covid which would be around for some time, along with clearing the backlog of elective surgery to reduce to pre-pandemic levels so reducing so soon would be a gross and absolute error and impact negatively on the NHS.

(2) Councillor B. Cutts' question would be responded to in writing.

(3) Councillor Cowles asked how many times had RMBC been accused of contempt of court in the past six years?

Councillor Alam explained that it was only once. This was in relation to a current matter alleging failure to comply with directions given by the First Tier Tribunal.

Councillor Cowles' supplementary question was not considered to be relevant.

(4) Councillor Hague's question would be responded to in writing.

(5) Councillor Carter's question would be responded to in writing.

(6) Councillor Albiston asked were the high rates of Covid infections in areas such as Valley, a demonstration of the Council's underinvestment in these localities?

Councillor Roche explained data showed that the whole of Rotherham had seen a significant impact from Covid-19 and fared worse than other areas of the country. Much of this relates to some of the underlying conditions and inequalities that the Borough has faced and would have impacted Valley along with all Rotherham Wards.

Areas like Waverley had higher rates. More recently Laughton, Anston, Harthill, Swallownest and parts of Swinton had recorded high rates. Whilst there may occasionally record high rates, much of this is related to underlying conditions and inequalities that may impact upon Valley along with other Wards.

The transmission of Covid-19 required close contact and that measures such as social distancing, regular hand washing, the use of face coverings and ventilation all reduced transmission. For areas like Rotherham with low wage economies, a higher proportion of manual and factory jobs and a lower proportion of people with suitable conditions to enable working from home, it was inevitable that more people have continued to mix. Despite all of the good work that individuals and employers have done to follow Covid safe guidance, this increased necessity to mix increases the transmission risk.

For those who do contract the virus it was known that the outcomes were worse amongst more vulnerable groups. Vulnerability for individuals related to age, underlying health conditions, risk factors such as smoking and obesity and individual factors such as ethnicity. Rotherham had a relatively elderly population compared to more urban boroughs, and that it also had higher rates of smoking, obesity and heart and lung disease than the national average. All of these factors increased the risk of poor Covid-19 outcomes in Rotherham.

The Council would continue to invest in its Covid response across the Borough to mitigate these risks and ensure that communications, testing, contact tracing and shielding and isolation support were available to all residents with specific focus in localities according to the latest data.

Investment also continued in economic development, Public Health services and Health services in the Borough to tackle the underlying issues that have impacted on Rotherham's Covid-19 outcomes.

In a supplementary question Councillor Albiston asked if the Cabinet Member agreed with her it was now time for the Council to target resources at areas such as Valley where there was experience of health inequalities.

Councillor Roche agreed there needed to be a greater look at health inequalities especially in the JSNA Ward Profiles on the website. It was necessary to understand further where concentrations of health inequalities were to make sure more resources and effort were put in. Hopefully the new Director of Public Health's vision would work towards this.

In addition, work was taking place in the Performance Team on health inequalities and the Cabinet Member would try to improve on the work in that area.

(7) Councillor Jepson explained that due to the loss this year of £1,483 from the Community Leadership Fund as a result of a Ward Councillor being removed from office, the Ward has been unable to support 2 local uniformed groups that have suffered financially as a result of the pandemic. The Leader was asked if he ensure that should this happen again the funding be still made available for its intended use.

The Leader explained the Community Leadership Fund was allocated to individual Elected Members and not the Ward. He shared the same regret that funds from former Members were being lost.

This had been discussed before when an Elected Member failed in their most basic responsibilities, sadly that funding was then lost to the community.

It would be of concern to allow one Member to spend another's Community Leadership Fund and where would this end and the line drawn. Simply re-designating it when someone had to stand down was not that simple. Of course, in normal circumstances when a Member had to stand down there would be a by-election and a new Councillor elected, which would resolve the problem that was described.

There would be a further look at neighbourhood working through scrutiny.

(8) Councillor B. Cutts asked why, when he requested to attend the Standards Board meeting on 18th January, 2021, in writing on 2 occasions, he was now advised after the meeting that he should have filled in a form? He could not understand why he was advised of this after the meeting had taken place when he wished to represent 5 members of the public?

Councillor McNeely responded by confirming there was no Standards and Ethics Committee on 18th January, 2021 which members of the public could attend. On the 18th January there was a Standards and Ethics Sub-

Committee hearing and to attend Councillor Cutts would needed to have been a complainant. Councillor Cutts did not make a complaint to the Standards and Ethics Committee on the matters subject to the hearing, so he would not have been invited to attend. The 2 complainants who were present were Party colleagues.

In a supplementary question, Councillor B. Cutts believed was it not simply courteous to answer a letter. He had asked how he could attend and on each occasion did not get any response at all. The only time he did receive a response was after the event. He had been asked by 5 members of the public to represent their views so this must account for something. Their questions to himself were fair and reasonable and they needed representing. He was professionally blocked from attending.

Councillor McNeely was aware the Monitoring Officer and Chief Executive would have replied to Councillor Cutts. If he believed officers were not dealing with him adequately he could send a letter to the Chair of Standards and she would reply.

(9) Councillor Cowles explained recently he had received, as had the Cabinet Member, but probably not as many as he had had, numerous photos showing dead rodents in Eastwood, which highlighted the explosion of these creatures in the area. For clarity these were the ones with fur, 4 legs, long tail, and sharp teeth. He asked, therefore, what did the Cabinet Member propose to do about this appalling situation?

Councillor Hoddinott explained that rats were attracted to food and the Service were acting to quickly clear away litter and fly-tipping, so she was surprised to see in the Advertiser that Councillor Cowles would prefer waste to be left in the street in Eastwood throughout the weekend – a situation which would undoubtedly encourage vermin even further.

The Council's Enforcement Team focused on increasing formal enforcement measures to address the causes of rats, including waste in gardens and fly tipping. Throughout this year, despite the impacts of Covid generating significant additional demand, the Enforcement Team had served more Fixed Penalty Notices and more Community Protection Notices than were served during 2019, which in turn had also increased from the previous year.

Despite the photos there had not been a big increase in reports for this time of year and in fact some of the photos showed some of the creatures next to pest control traps. Ward Councillors were active and at a meeting just last week were looking at individual actions that cause rats to be prevalent and the more strategic approaches that could be taken.

In a supplementary question Councillor Cowles referred to a recent letter from a local MP where it was highlighted the area had suffered serious problems with vermin as a consequence of longstanding problems with rubbish. A resident, taking matters into his own hands, had been quoted £100 to treat the problems that he had not encouraged.

Councillor Cowles himself had spoken to a pest control company who claimed the cause to be due to black bin rubbish and to dustbins left propped open exposing rubbish. Lids were designed to be shut to keep smells in during the summer and vermin out at all times. Treating a single property was pointless and as a minimum each side and the rear must also be treated in order to deal with the problem properly. In addition, the whole area needed to be treated at least twice. A fly tipping charter had been established so asked was the Cabinet Member prepared to treat the whole area to deal with the problem.

Councillor Hoddinott described the ongoing largescale treatment in Eastwood and how Councillor Cowles was often complaining about the amount of money spent. When hearing calls for action, action was taken so the complaints were being listened to about enforcement and clearing up. It was good practice to have the clearing away service to ensure rubbish was not left at a weekend thus reducing the amount of food for the vermin to feed on. There was a need for clearing rubbish and enforcement was taken and Fixed Penalty Notices issued as part of this. There was a clear need to do both.

(10) Councillor Hague's question would be responded to in writing.

(11) Councillor B. Cutts asked why was the Standards and Ethics Committee not serving the people of Rotherham in a form of justice and transparency and should the meeting not be open to the public or webcast?

The Leader explained the Standards and Ethic Committee was recorded.

Before the pandemic, Standards and Ethics Committee meetings were held in public and as such members of the public and members who were not part of the Committee could attend if they wished. At that time the meetings were not webcast.

Since the pandemic the Government had removed the requirement for local authorities to hold public meetings in person and as such the Standards and Ethics Committee meetings were now held remotely and webcast ensuring continued accessibility to the public and members who were not part of the Committee.

However, some items considered by the Standards and Ethics Committee were exempt as they related to unproven allegations, matters of a sensitive nature, and personal information which was protected under Data Protection legislation.

The Committee and relevant hearings were minuted and the minutes were published.

In a supplementary question Councillor Cutts believed the meetings were very selective and this was an illustration of such.

The Leader disagreed with the premise Councillor Cutts was saying.

(12) Councillor Albiston referred to Councillor Watson at the last meeting committing to developing a Child Anti-Poverty Strategy so asked what date did he expect this to be completed by?

Councillor Watson explained it was not possible to put a date on it as this was not a quick fix policy.

In a supplementary question, Councillor Albiston asked could Councillor Watson suggest when work might start and in what year and would it be completed in the next one or 2 years.

Councillor Watson confirmed the work had commenced and was looking at other Councils. It was likely this would take between 9 months and 2 years to complete.

(13) Councillor R. Elliott was pleased to note the Leader's correspondence with Grant Shapps opposing the Eastern leg of HS2 and asked, bearing this in mind would the Leader, therefore, challenge Mayor Jarvis to justify his reasons for still supporting HS2 which was contrary to the views of Rotherham and Doncaster Councils and contradicted the recent National Infrastructure Report?

The Leader confirmed he and the Mayor had a longstanding disagreement about HS2 and preference of the route. Discussions did take place in a civil way and the Leader would continue to press the case for the argument if HS2 was going to be built for this to be built on a different route thus causing minimum impact. He was supported by Members in making this argument. The Leader and the Mayor had struggled to find common ground on this, but nevertheless the Leader would continue to try.

In a supplementary question Councillor Elliott confirmed that he and several others had written to Mayor Jarvis and all received the same reply with inaccurate information. The reply actually beggared belief as it was technical and questioned whether Mayor Jarvis knew what he was talking about. He was still an M.P. as well as Mayor and appeared to be performing both jobs badly, in fact he split his working week between the 2 and alternated on a 2 weekly basis. Did the Leader agree that Mayor Jarvis should do everyone a favour and resign as Mayor and give 100% to his constituents as an M.P.

The Leader was unable to agree with Councillor Elliott. He was not aware of what days Mayor Jarvis was in his office. He did an exceptional job as Mayor and it was to South Yorkshire's advantage that he was able to get his points across in Westminster and maximise the leverage. The Leader was proud to work with Mayor Jarvis notwithstanding the disagreement on some matters.

(14) **Councillor Napper** referred to how the greatest number of complaints was to the Housing Department with regards to missed appointments and repeated repairs to the same complaint which was due to poor workmanship and asked what was the Council was doing to address this?

Councillor Beck explained that in relation to Missed Repair Appointments, all of the 28,727 non-emergency repairs were appointed with the customer and of these, 98.7% of the appointments made were kept. This exceeded the Council's target of 92%. However, the Council was aware that on some occasions the contract partners, Mears and Engie, were unable to keep to appointments. This was generally due to inclement weather (for external repairs such as roofing works) and high volumes of emergencies on some days which took priority over non-emergency repairs.

With regards to Repeat Repairs due to Poor Workmanship, this financial year to date, responsive repairs completed 'right first time' was at 87.3% against a target of 88%.

Due to the Covid-19 pandemic, there have been a number of material supply issues over the last 12 months which have negatively impacted on the contract partner's performance. For example, it became very difficult to obtain plastering materials, roof tiles, electrical wiring to name but a few components last year due to a nationwide shortage. The availability of building materials appeared to have greatly improved over recent months.

The Service was trying to improve and working hard and overall doing well when benchmarked against other Councils.

In a supplementary question, Councillor Napper referred to a question he had raised in the January, 2021 Council meeting asking about the Elizabeth Parkin Centre and the problems with the heating. He had received a letter from Councillor Beck which indicated this was not currently identified as an essential centre and the repair was not prioritised as urgent or an emergency. Unfortunately, the repair that was reported back in June 2020 meant the only source of heating for the whole of the surrounding bungalows had not been working and only last week the heating had been restored. It was concerning that it was not known that this was part of a community heating system and pensioners were left without hot water and heating for months. Even worse, they were also receiving meter readings for heating they were not actually getting. How would this be addressed when the bills were issued.

Councillor Beck was unaware of this position and was surprised that it had been ongoing for so long. He was pleased the heating was now fixed, but would investigate the situation Councillor Napper was referring to further.

(15) Councillor Jones' question would be responded to in writing.

(16) Councillor Cowles referred to Hull recently announcing a zero-tolerance initiative to fly-tipping. Rotherham announced a 7 day a week collection service. What message did the Cabinet Member think this sent out to those responsible for this despicable behaviour and if Hull could implement zero tolerance why could Rotherham not?

Councillor Hoddinott explained Hull was a lovely city and had spoken to leads at Hull Council and learnt that their policies and strategies were aligned. Hull too was using enforcement and have a 7 day clearance team as part of this initiative.

There was simply no excuse for fly tipping and the Council had taken a zero tolerance approach to the enforcement of fly tipping offences for some time. In fact, action in the form of crushed cars, sending people to jail and issuing over 100 Fixed Penalty Notices for these offences this year totalled over 600 since the powers were introduced in 2018.

Focus had also been made to the wider offences to prevent fly tipping, including 41 legal actions to force waste carriers to produce waste carrier licences, resulting in 11 Fixed Penalty Notices for those who could not show appropriate documents. The Council had also seized and crushed 2 vehicles during 2020 for fly tipping offences.

The introduction of the Borough-wide Weekend Cleaning Service was to enhance the Council's cleaning arrangements at weekends. It gave the Council the ability to respond more rapidly to cleaning issues which arose at the weekends, but also gave more resources to do work such as cleaning high speed roads and other areas. It was not a collection service and was not focussed on any particular area of the Borough.

In a supplementary question Councillor Cowles pointed out it had taken 2 years to solve the problem. Despite the education people refused to listen during the intervening years with thousands of pounds being poured into the area without any improvement. Fly tipping was a Borough-wide problem and there were hotspots, but Eastwood was the worst affected area and had been for the last 3 years. A colleague understood the issue so if the results did not improve why did the Cabinet Member just not go.

Councillor Hoddinott reiterated Rotherham had taken more action and fly tipping was a blight across the country not just in Rotherham. The Service had been putting all the different strands together over last few years. The toughest of action would continue and a new campaign about

fly tipping was being worked through with the public and residents to tackle this.

(17) Councillor Carter asked how would the administration describe the progress of the new central library project?

Councillor Allen confirmed progress was steady, but slower than the Service would like. Submissions for the Future High Streets Funding had been included in the budget and it was at the stage of waiting for Government to confirm their offer of funding. The Service was ready to go.

In a supplementary question Councillor Carter referred to the contingency funding from the Council's Capital Budget and asked what the Council's stance would be. Was it optimistic that this fund would not be needed and would the Cabinet Member agree with him that any shortfall should have been planned for further in advance than the last budget.

Councillor Allen reiterated the Council already had an indicative offer of funding of 69% from the original bid. What the Council agreed last week was to fund a revised scheme that would bring everything required and increase the amount of Council contribution, therefore, putting such importance on this scheme and a valuable contribution to this project.

(18) Councillor Hague's question would be responded to in writing.

(19) Councillor B. Cutts asked when there were 130 people with special needs using the Addison Road facility he could still not understand the reason why it was closing down? There was no mention of the reasons of closure on page 75 of the 260 page report, so what of the building itself?

Councillor Roche explained it had been 4 years now since the Council embarked on a consultation programme about Learning Disability Services. Many discussions had taken place in Council and the reasons in detail. The objective was to modernise services, obtain cost savings and co-design new arrangements along with the users, staff, and families.

People and families told us that they expected support and services to be more person-centred, flexible, available during the day, evening, and weekends, as close to where the person lived as possible, and community-based. People and families wanted more opportunity to contribute and be part of mainstream life, and fewer and fewer new Service users wanted to use the day centres, thus giving a more community-based approach. These were reasons for change.

Information had been provided through seminars, Scrutiny and Council and had been supported by the Opposition.

In May 2018, Cabinet approved the vision and strategy for people with a learning disability. Plans were laid out to show how we would improve people's lives, aspirations, and opportunities. A transformation delivery plan was presented to show how the Council would make sure all people with a learning disability had access to community-based services that promoted independence, wellbeing, and social inclusion. It would be the difference between "having a life rather than just a service."

On this basis we agreed to close 2 of the Council's day centres, subject to each person who used them having an assessment and drawing up a plan for what they individually wanted to do. Approximately 150 people have now been through this process, and the feedback from former day centre users had generally been very positive indeed. The Advertiser published very positive comments last year and similar reports had been received from parents and carers.

Changes were due to be completed last year, but due to factors out of the Council's control, largely the current pandemic, the Addison Day Centre currently remained open and in use until all those who attended have had a review of their care and support needs and have an agreed alternative support plan in place.

There were currently 14 people accessing the service at Addison Day Centre due to the Pandemic and it was anticipated a further 12e people would return after shielding. 42 clients have moved on from the Service so far.

In a supplementary Councillor Cutts asked had Members been to the site and been part of the Service. He himself had several times, had lunch there and the Service was unbelievably good. How anyone could assess the circumstances and confirm the building required closing was beyond him. It was cruel and disgusting. People at the time were enjoying themselves. One of the main reasons for people attending was not just for the people themselves, but for respite for the people doing the care full-time. He asked further about the building and the land.

Councillor Roche pointed out that until all the users had been assessed a decision could not be made about the building. That would come at a later stage by Asset Management. Details about changes were set out in detail as part of the report and given in detail at seminars and at full Council. It was necessary to read this in conjunction with the Care Act and how users who had made the move found their situations had improved.

(20) Councillor Cowles referred to a recent article in the local paper when the Council Tax increase was announced as 1.99% plus 1% increase for Adult Social Care. Considering what was absent from the increase announced compared to what residents would be required to pay. This was deceitful and disingenuous and asked did the Leader agree?

The Leader explained this related to only part of the Council Tax and was an inaccurate description that what was proposed did not include all the Parish and Police and Crime Commissioner precepts. Different people, living in different places, would see different cumulative bills as a result of the various different precepts. That was why a bill was sent.

The Council's proposed Council Tax increase referred to was the only element of the Council Tax charge/bill that was a Council decision and the only part that related to Council services.

In a supplementary question Councillor Cowles found the response disingenuous for the following reasons as his own Council Tax was collected by RMBC via direct debit in a single payment. Joe Public may look at the bottom line and decide whether or not they should refuse the increase, yet if he refused RMBC would chase for non-payment and not necessarily for the precept. Why could the bills not include the increase minus the charges so it was abundantly clear.

The Leader pointed out the different elements clearly set out in the bill were collected and received by the principal authority set out in law. Unlike most other places an increase from the primary authority was to be lower here than in 75% of the rest of the country. Rotherham should be congratulated for this and it was hoped it was well received, but unfortunately any charges from Parish Councils and the Fire and Rescue precept were not within the gift of the political leadership of this authority to challenge.

(21) Councillor Jones confirmed he had now been told that 21 housing hubs have been set up, with 81 members of the public to deliver Ward projects. He asked could the Cabinet Member tell him what the underspend was for the year, which 3 Wards have the largest underspend and what each one underspent by?

Councillor Beck explained the budget was fully committed. In common with the previous Area Housing Panels, each Ward Housing Hub received a projects budget, funded by the Housing Revenue Account. This funding was provided to support local environmental projects and other initiatives, to address issues related to housing and neighbourhoods.

In a supplementary question Councillor Jones referred to some of the Ward budgets being spent beyond the end of January closing date and there were still Wards with money outstanding, bearing in mind the only person who had a genuine excuse was Councillor Jepson. He asked if there had been any discussions taken forward about possibly penalising Wards for not spending complete budgets or if these could be shared out across Wards that managed to do it.

Councillor Beck confirmed Ward Housing Hub money was fully committed by the end of January, which was not a strong deadline. Most Wards had spent their budget. Work was still taking place with a few Wards who had experienced problems to ensure backfill on other projects. The position by the end of March would be that all monies would be committed.

In terms of moving forward and Wards losing money, this year would be the only year in the Municipal term where there would be no roll forward. This was due to the forthcoming elections and a new Council with new Ward boundaries. This would mean any underspends would be lost. However, in the future if there was some surplus for each Ward at the end of the year during the next 3 years this would be rolled forward into subsequent financial years. This would, however, only relate to Housing Hub money. Thriving Neighbourhood funding was dealt with differently and separately.

(22) **Councillor Hague's** question would be responded to in writing.

(23) **Councillor B. Cutts'** question would be responded to in writing.

(24) **Councillor Napper** referred to complaints from the elderly being usually by telephone, this was because they did not have access to the internet and had no way of getting online, but then an automatic recording directed them repeatedly to the internet. This could be incredibly frustrating when they could not access it. He asked what could R.M.B.C do to make it easier and more accessible in these cases?

The Leader recognised the issue and it had been discussed in Scrutiny. One common call into the Contact Centre was Council tenants checking outstanding rent balances. This was a straight forward call which could take up time. Over the last few months this had been moved online to enable tenants to check balances, which appeared to be helping with the pressure. Part of the answer was about making sure more staff were able to answer the telephones with allowing some temporary increase to address the issues and deal with more calls.

In the longer term once the country returns to normal and libraries were again open it was hoped to restore some face-to-face access based on an appointment basis for people to see face-to-face Customer Services representatives. The Council was adopting a whole range of measures to help people to engage with services in the way they chose and appropriate to them. People who wished to pursue queries over the telephone could continue to do so.

(25) **Councillor Cowles** asked, based on the last complete reporting period, 2019/20, how many of the new houses built were built by the Council as social housing, which was what was said to be needed and, how many jobs were created for Rotherham people?

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Councillor Beck confirmed that in the last reporting period of 2019/20 there had been 556 new homes delivered and of those 177 were delivered as a direct result of the Council's intervention which was around 32%.

113 of properties would be Council properties either for Council rental shared ownership (retaining a year's state of ownership) of which there were approximately 20% of that global total of 508.

In terms of jobs created which preceded the introduction of the Council's Social Value Policy, which now ensured that companies recorded output and new jobs created, there were 18 people who benefitted from employment and training opportunities and the Council's Bellows Road development, together in partnership, saw a total of 7 new jobs.

In a supplementary question Councillor Cowles referred to 18 people benefitting and expanded to 25 in relation to house building. This was a staggeringly low number of Rotherham jobs. A Rotherham resident had applied to Wilmot Dixon and told because they were not on the national database they were not considered. From the outset it should have been made clear Rotherham jobs for Rotherham people and Rotherham tradespeople. This was depressing and asked the Cabinet Member if he agreed.

Councillor Beck did not agree. The Council had delivered a significant investment into the building and development of new Council properties across Rotherham supporting companies in the process. This had to be balanced with ambition and wanting to support businesses and Rotherham jobs. This Council had a good track record in doing that, but again this had to be balanced against best value and what was good for the Council and the Rotherham taxpayers. The Council believed it had done well over recent years.

(26) Councillor Carter referred to trees felled in his Ward in the past year that had not been replaced in at least a carbon neutral way. What was the Council's policy on this moving forward to combat the climate emergency?

Councillor Allen referred to approval of last week's budget discussion with the 2 proposals; one Revenue and one Capital around tree practice in Rotherham. Councillor Carter voted against the budget.

As well as investment tree practice in Rotherham, the Council was developing a Tree Management Policy which would set out its approach to managing its own tree stock including felling, pruning and proactive planting. It was expected that the policy would be available for consultation from July, 2021 and would include a commitment to ensure that there was a net gain in tree cover, taking into account new planting and the number of falls for that year. The ratio planned was for 3 trees for every one felled, but it must be pointed out that the replacement trees

would not necessarily go in the same places as the one felled, but it would be as close as possible.

The Council was also working hard with partners with the aim of 11,000 trees being planted this year and the expected investments and the Policy would help improve on the contribution to the climate claim agenda.

In a supplementary question Councillor Carter welcomed the net positive where trees were lost and the 3:1 strategy. He deemed it important for his Ward with the Clean Air Mandate around the Parkway and M1. He asked if there was a commitment for tree cover to be kept in that Ward to address pollution in areas that have a Clean Air Mandate and if there would be a research impact of tree felling and catch up programme for trees lost in recent years throughout the Borough.

Councillor Allen explained last year netted a gain of 100 trees across the Borough so the process was not starting from zero and part of the Revenue proposal was for a Tree Engagement Officer to work alongside an Ecologist given the diversity issues in the Borough to get the whole future planting programme right.

Trees may not go back to the Ward they were removed from, but like the Parkway, any scheme at all that progressed through the planning process, subject to the requirements of the Policy replacement ratio, would identify where the trees had been planted. However, where there was a clean air need then obviously the Council would look to replace using the tree planting policies.

(27) Councillor Jones' question would be responded to in writing.

(28) Councillor Hague's question would be responded to in writing.

(29) Councillor Cowles explained that since 1925 it had been a requirement to get the Secretary of State's approval for a change in the use of statutory allotment land i.e. 1925 allotment act - any land bought or appropriated for allotments is statutory. We have built houses on land that was previously allotments. He asked had the Council sought the Secretary of States approval in all cases?

Councillor Hoddinott explained approval could be sought for a change of use. The Council was not aware of any housing that had been built on statutory allotment land where the Council was the Statutory Allotments Authority that had that allocation.

(30) Councillor Napper referred to Firsby being a small hamlet, but was now being targeted by fly-tippers and off-road vehicles. Fly-tippers were dumping rubbish in the lane – quadbikes going up the side of the dam and around what was left of the reservoir. He asked what could R.M.B.C do to stop this with only one lane track into and out of the hamlet?

Councillor Hoddinott explained the Council would work with other partners to address this issue. The Service was aware of this location and there had previously been a CCTV camera in the area which had led to enforcement action being taken. An update on the CCTV was available and she would provide this outside of the meeting with Councillor Napper.

The Council was looking at different signs etc. and a Friends Group to take this forward thus empowering the neighbourhood work in order to respond at a local level.

In a supplementary question Councillor Napper referred to the overflow from the reservoir and how there was no fencing to stop anyone going across. This had suffered massively when the Council had removed half of the bank to release the water. He suggested the Council erect a fence or a hedgerow to stop further damage.

Councillor Hoddinott was not aware of all the details, but this may be something that could be considered under the capital budget through the Neighbourhoods Fund next year when again local projects could be looked at.

(31) Councillor Cowles referred to the recognition by gold standard councils where national guideline stated that for every 1,000 houses built there should be 20 allotment plots allocated. The Council was building upwards of 14,000 houses, which equalled 280 allotments, with roughly 1,000 houses in the Whiston area. Allotments should be near to the new houses. He had not seen on plans so asked where would the new allotments be in Whiston?

Councillor Hoddinott explained on average there were 13 per 1,000 nationally equating approximately 20/30 plots per 1,000 houses.

There was no statutory requirement to provide allotments associated with new homes. However, within the Policy SP37 of the Local Plan there was a requirement to ensure that new residential development provided 55 sq m of open space per dwelling, but this was not restricted to allotments as it would be public open space. Any new allotments would be managed by Rotherham Allotments Alliance and not the Council.

The Council did, however, have a statutory duty to provide enough allotments to meet demand and this could be demonstrated in Rotherham due to low numbers on waiting lists and some existing land held as allotments unused allowing for further increases in plot use.

Allotments were community spaces and afforded the opportunity for an active and healthy lifestyle with a future role for people to pursue a green career. There were legal and policy safeguards in place for disposal handled by the Secretary of State should there be any consideration for any consent and subject to this rigorous process.

(32) Councillor Jones' question would be responded to in writing.

(33) Councillor B. Cutts asked what dates and by whom was planning permission granted to:-

2 x Wilmott sites on Westgate
1 x Wilmot site on Wellgate,
And Guest and Chrimes site

Councillor Sheppard explained planning permission was granted by Planning Board Members on 31st October, 2019, for the 2 sites on Westgate and the one on Wellgate. The applicant for all 3 applications was the Council.

The wider Guest and Chrimes site had historically been the subject of numerous planning applications, including the building of the football stadium for Rotherham United Football Club. More recently planning permission had been granted to the Club to allow the stadium car park to be used as a public pay and display in January, 2012 and the erection of a single storey office block for Mears in July, 2020.

In a supplementary question Councillor Cutts referred particularly to the Guest and Chrimes office site that was protected and what application had been granted given that builders boards were being placed around to isolate it.

Councillor Sheppard confirmed no planning permissions have been granted for the Listed Buildings that remained on site.

484. URGENT ITEMS

There were no urgent items.