



Council

**Wednesday 21 July 2021
2.00 p.m.**

Rotherham 
Metropolitan
Borough Council

WELCOME TO TODAY'S MEETING

GUIDANCE FOR THE PUBLIC

The Council is composed of 59 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. 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 sixty words in length. Questions can be emailed to governance@rotherham.gov.uk

Council meetings are recorded and streamed live or subsequently uploaded to 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.

FACILITIES

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:- **Craig Tyler, Head of Democratic Services**
governance@rotherham.gov.uk

Date of Publication:-

13 July 2021

COUNCIL

Wednesday 21 July 2021 at 2.00 p.m.

THE MAYOR (Councillor Jenny Andrews)
DEPUTY MAYOR (Councillor Tajamal Khan)

CHIEF EXECUTIVE (Sharon Kemp)

MEMBERS OF THE COUNCIL

ANSTON AND WOODSETTS

BAUM-DIXON, Timothy J.
MCCLURE, Emma J.
WILSON, Tracey H.

HELLABY AND MALTBY WEST

ANDREWS, Jenny
BALL, Simon A.

ROTHERHAM WEST

AVEYARD, Ben
JONES, Ian P.
KEENAN, Eve

ASTON AND TODWICK

BACON, Joshua
BARKER, Aaron

HOOBER

BARLEY, Emily J.
LELLIOTT, Denise
ROCHE, David J.

SITWELL

BURNETT, Simon L.
FISHER, David F.
GRIFFIN, Tony

AUGHTON AND SWALLOWNEST

AUSTIN, Jack C.
PITCHLEY, Lyndsay

KEPPEL

BROWNE, Tony
CLARK, Maggi
HAGUE, Paul

SWINTON ROCKINGHAM

MONK, Gina
WYATT, Ken

BOSTON CASTLE

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

KILNHURST AND SWINTON (EAST)

CUSWORTH, Victoria
SANSOME, Stuart J.

THURCROFT & WICKERSLEY

COLLINGHAM, Zachary A.
SINGLETON, Thomas R.

BRAMLEY AND RAVENFIELD

MILLS, Lewis H.M.
REYNOLDS, Gregory

MALTBY EAST

HUNTER, Lee J.
TINSLEY, Adam J.

WALES

BECK, Dominic E.
HAVARD, Marnie A.

BRINSWORTH

CARTER, Adam J.
CARTER, Charlotte R.

RAWMARPASH EAST

HUGHES, Rachel E.M.
SHEPPARD, David

WATH

ATKIN, Alan
COWEN, Sheila A.

DALTON AND THRYBERGH

BAKER-ROGERS, Joanna
SYLVESTER, Michael D.P.

RAWMARPASH WEST

BIRD, Bob
THOMPSON, Jill

WICKERSLEY NORTH

ELLIS, Sue
HODDINOTT, Emma E.
READ, Chris

DINNINGTON

CASTLEDINE-DACK, Sophie
WHOMERSLEY, Benjamin J.
WOODING, Charlie Andrew

ROOTHER VALE

BROOKES, Amy C.
MIRO, Firas

GREASBROUGH

ALLEN, Sarah A.
ELLIOTT, Robert W.

ROOTHERHAM EAST

COOKSEY, Wendy
HALEEM, Rukhsana B.
KHAN, Tajamal

Council Meeting Agenda

Time and Date:-

Wednesday 21 July 2021 at 2.00 p.m.

Venue:-

Magna, Magna Way, Rotherham. S60 1FD

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 8 - 32)

To receive the record of proceedings of the ordinary meeting of the Council held on 26th May, 2021, and to approve the accuracy thereof.

5. PETITIONS (Pages 33 - 37)

To report on any petitions 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.

There are no such items at the time of preparing this agenda.

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 38 - 50)

To note the minutes of the Cabinet Meeting held on 21st June, 2021.

11. AMENDMENTS TO APPOINTMENTS OF MEMBERS TO COMMITTEES, BOARDS AND PANELS (Pages 51 - 55)

To inform Council of amendments to the nomination of Members to serve on Committees, Boards and Panels.

12. STANDARDS AND ETHICS COMMITTEE (Pages 56 - 57)

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

To confirm the minutes as a true record.

13. AUDIT COMMITTEE (Pages 58 - 64)

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

To confirm the minutes as a true record.

14. HEALTH AND WELLBEING BOARD (Pages 65 - 76)

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

To confirm the minutes as a true record.

15. PLANNING BOARD (Pages 77 - 86)

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

To confirm the minutes as a true record.

16. LICENSING BOARD SUB-COMMITTEE AND LICENSING SUB-COMMITTEE (Pages 87 - 110)

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.

17. 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).

18. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRPERSONS

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

19. 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 29 September, 2021 at 2.00 p.m.**

COUNCIL MEETING

26th May, 2021

Present:- Councillors Alam, Allen, Andrews, Atkin, Aveyard, Bacon, Baker-Rogers, Ball, Barley, Baum-Dixon, Beck, Bird, Brookes, Browne, Burnett, A Carter, C Carter, Castledine-Dack, Clark, Collingham, Cooksey, Cowen, Cusworth, R. Elliott, Ellis, Fisher, Griffin, Hague, Haleem, Havard, Hoddinott, Hughes, Hunter, Jones, Keenan, Khan, Lelliott, McClure, McNeely, Mills, Monk, Miro, Pitchley, Read, Reynolds, Roche, Sansome, Sheppard, Singleton, Sylvester, Thompson, Tinsley, Whomersley, Wilson, Wooding, Wyatt and Yasseen.

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

1. ELECTION OF CHAIR

Councillor Keenan took the Chair for this item.

To elect a Mayor and Chair of the Council for the 2021-22 Municipal Year.

Two nominations had been received: -

“That Councillor Jenny Andrews be elected Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that she be entitled to the style of Mayor by virtue of Section 245(1) of the Local Government Act 1972.”

Proposer:– Councillor Roche Seconder:– Councillor Pitchley

“That Councillor Ian Jones be elected Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that he be entitled to the style of Mayor by virtue of Section 245(1) of the Local Government Act 1972.”

Proposer:– Councillor Elliott Seconder:– Councillor Barley

On being put to the vote the motion to elect Councillor Jones as Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that he be entitled to the style of Mayor by virtue of Section 245(1) of the Local Government Act 1972 was declared as lost.

On being put to the vote the motion to elect Councillor Andrews as Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that she be entitled to the style of Mayor by virtue of Section 245(1) of the Local Government Act 1972 was declared as won.

Councillor Sylvester asked for his vote against the motion to elect Councillor Andrews as Chairman of the Rotherham Borough Council for the ensuing Municipal Year to be recorded.

COUNCIL MEETING - 26/05/21

Councillor Andrews thereupon made and subscribed the statutory declaration of acceptance of office.

Resolved: - That Councillor Jenny Andrews be elected Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that she be entitled to the style of Mayor by virtue of Section 245(1) of the Local Government Act 1972.

(Councillor Andrews assumed the Chair)

2. ANNOUNCEMENTS

The Mayor welcomed everyone to the first meeting of Council of the new Municipal Year and to the first meeting of Council to be held at Magna.

The Mayor congratulated and welcomed all the newly Elected Members to their first Council meeting and noted how she was looking forward to working with them over the coming year.

The Mayor referred to the following Mayoral Engagements:

- Conveying the Freedom of the Borough on Dame Julie Kenny at an Extraordinary Council meeting on 19th March.
- Attending the opening the Hope Fields Memorial Garden.
- Attending a memorial service with the Mayoress for HRH The Duke of Edinburgh at Sheffield Cathedral.
- Opening a new craft beer shop in Maltby.

The Mayor thanked the Mayoress and the Deputy Mayor for their support over the last year.

3. ELECTION OF VICE-CHAIR

To elect a Deputy Mayor and Vice-Chair of the Council for the 2021-22 Municipal Year.

Two nominations had been received: -

“That Councillor Tajamal Khan be elected Vice-Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that he be entitled to the style of Deputy Mayor by virtue of Section 245(1) of the Local Government Act 1972.”

Proposer:- Councillor Cooksey

Seconder:- Councillor Beck

“That Councillor Tracey Wilson be elected Vice-Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that she be entitled to the style of Deputy Mayor by virtue of Section 245(1) of the Local Government Act 1972.”

Proposer:– Councillor Barley Seconder:– Councillor Elliott

On being put to the vote the motion to elect Councillor Wilson as Vice-Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that she be entitled to the style of Deputy Mayor by virtue of Section 245(1) of the Local Government Act 1972 was declared as lost.

On being put to the vote the motion to elect Councillor Khan as Vice-Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that he be entitled to the style of Deputy Mayor by virtue of Section 245(1) of the Local Government Act 1972 was declared as won.

Councillor Khan thereupon made and subscribed the statutory declaration of acceptance of office.

Resolved: - That Councillor Tajamal Khan be elected as Vice-Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that he be entitled to the style of Deputy Mayor by virtue of Section 245(1) of the Local Government Act 1972.

4. APPOINTMENT OF MAYOR'S CADETS

The Mayor advised that the appointment of the Mayor's Cadets would be confirmed at the next meeting of Council on 21st July, 2021.

5. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Austin and Barker.

6. DECLARATIONS OF INTEREST

There were no declarations of interest.

7. COMMUNICATIONS

There were no communications.

8. MINUTES OF THE PREVIOUS COUNCIL MEETING

Councillor Jones requested that the Minutes of the meeting held on 10th March, 2021 be checked as he had withdrawn the questions that he had submitted for Cabinet Members in advance of the meeting.

COUNCIL MEETING - 26/05/21

Resolved: - That the minutes of the meetings of Council held on 3rd, 10th and 19th March, 2021, be approved for signature by the Mayor.

Mover: - Councillor Read

Seconder: - Councillor Allen

9. EXCLUSION OF THE PRESS AND PUBLIC

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

10. ELECTION OF LEADER OF THE COUNCIL

Resolved: -

That in accordance with the requirements detailed in the Local Government and Public Involvement in Health Act 2007, that Councillor Chris Read be appointed as Executive Leader of the Council for the period 2021–24.

Mover: - Councillor Allen

Seconder: - Councillor Griffin

11. LEADER OF THE COUNCIL'S STATEMENT

In welcoming everyone to the meeting the Leader thanked colleagues for their support as the new municipal term began.

The Leader congratulated the Mayor on her re-appointment, and to Councillor Khan on his appointment as Deputy Mayor. The Leader also congratulated all the new Members of the Council from all parties and parts of the Borough who were taking their seats for the first time.

The Leader noted that for the second election in a row, the majority of Councillors elected were new into role and welcomed their enthusiasm and commitment stating that anyone who stood for election put their head above the parapet, and that in an age where politicians were often reviled and open to abuse, it was important to him that everyone started by respecting the commitment to public service and the personal sacrifices that people had made and would continue to make as everyone sought the best for the people that they represented.

The Leader advised that the presence of so many new Members should also serve as a reminder that it was essential not to simply accept the old way of doing things, and that everyone must always be on the right side of change. The Leader stated that all Elected Members must also continue to uphold high standards and be on the side of doing things the right way. The Leader continued that he hoped and believed that change would be one of the discussions that lay ahead for all present through the next few months.

The Leader advised that competitive elections were a good thing, and that whilst he may have liked the recent elections to be a little more favourable

to his side and a little less favourable to the Members opposite, no one should lose sight of that fact that everyone was only present at the meeting because the public had chosen and that everyone must continue to earn their trust. The Leader advised that he welcomed a difference of opinion and stated that a healthy debate was a good thing noting that he looked forward to working constructively with those on all sides of the Chamber.

The Leader stated that the Labour Group had been elected on a clear mandate and had heard a lot what the public said at the last election. The Leader stated that the administration would set out in more detail than ever before their plan to Build a Better Borough and noted that it was their responsibility to implement that plan as they had promised.

The Leader continued that this would mean that the administration would continue to pursue jobs and expanding economic opportunities for residents, provide more Council homes and affordable housing, continue to invest in and reform Social Care provision to meet the needs and aspirations of service users as well as renewing their commitment to ensure no-one was left behind because at a time when people were being driven apart, by poverty, by rising hate crime, by an economy that fails too many people and a political climate that thrives on division, the Council's role must be to secure a home that residents can be proud of and a platform upon which they can stand and fulfil their ambitions.

The Leader confirmed the Cabinet appointments that he had made: -

Councillor Sarah Allen, Deputy Leader and Cabinet Member for Neighbourhood Working

Councillor Victoria Cusworth, Children and Young People

Councillor David Roche, Adult Social Care and Health

Councillor Denise Lelliott, Jobs and the Local Economy

Councillor Dominic Beck, Transport and Environment

Councillor Dave Sheppard, Social Inclusion

Councillor Amy Brookes, Housing

Councillor Saghir Alam, Corporate Services, Community Safety and Finance

The Leader stated that he would like to take the opportunity to personally thank Councillor Emma Hoddinott for her contribution and commitment in Cabinet and wished her well in her new job. The Leader made of a special mention to former Councillor Gordon Watson, who had done so much to transform the lives of the most vulnerable children and young people in the Borough. The Leader stated that when he and former Councillor Watson attended their first meeting as Leader and Deputy, that he had touched his arm just before the meeting started and had said; "Hey, just think, we're here."

COUNCIL MEETING - 26/05/21

The Leader concluded in stating that in that same spirit, to all Members taking their seats today – before the politics starts and the casework overloads inboxes and social media gets the better of you, remember: you're here and that you're doing a remarkable thing.

Councillor Barley thanked the Leader for his kind words of welcome and asked what he would look to do differently now that the composition of the Council was very different to how it had been before the election.

Councillor Sylvester asked whether the Leader would consider linking the size of Members' neighbourhood budgets to the level of deprivation in Wards.

In response to Councillor Barley the Leader advised that there were strong processes in place that not only enable agreement and disagreement to take place, but for accountable decision making to take place. The Leader advised he was always open to reviewing processes and procedures as required.

In response to Councillor Sylvester the Leader that the vast majority of the Council's spending activity was aimed at addressing the problems of inequality and deprivation by addressing market failures. The Leader advised that it would be wrong and misleading to pretend that the small neighbourhood budgets would address major issues such as inequality and deprivation but assured Councillor Sylvester that the Council's wider policies and actions would address these issues.

12. MINUTES OF THE CABINET MEETING

Resolved: -

That the reports, recommendations and minutes of the meeting of the Cabinet held on 22nd March, 2021, be received.

Mover:- Councillor Read

Seconder: - Councillor Allen

13. REPORT OF THE RETURNING OFFICER - BOROUGH ELECTION RESULTS

The Returning Officer submitted a report that detailed the results of the Borough Council Elections that had been held on Thursday, 6th May, 2021.

In moving the report Councillor Alam noted his thanks to the Returning Officer, the Elections Team and all of staff who had ensured the smooth running of the election process. In seconding the report Councillor Allen noted how she was looking forward to working with both new and returning Members in her role leading on member development.

Resolved: - That the report be noted.

Mover:- Councillor Alam

Seconder:- Councillor Allen

14. DINNINGTON ST JOHN'S NEIGHBOURHOOD PLAN REFERENDUM

Consideration was given to a report that had been submitted seeking approval for the Dinnington St John's Neighbourhood Development Plan to be adopted as part of the Statutory Development Plan for Rotherham Borough after the proposed plan had been supported in a referendum held on Thursday, 6th May, 2021.

It was noted that the Localism Act (2011) allowed for local communities to prepare plans and strategies for development in their area called Neighbourhood Plans that had given parish councils and local communities the power to write their own plans and to take more control of planning policy for their areas.

Resolved: -

- 1) That the outcome of the Dinnington St. John's Neighbourhood Plan Referendum, as set out at paragraph 1.5 of the officer's report be noted.
- 2) That the Dinnington St John's Neighbourhood Development Plan be adopted as part of the Statutory Development Plan for Rotherham Borough.

Mover:- Councillor Allen

Seconder:- Councillor Lelliott

15. MEMBERSHIP OF POLITICAL GROUPS ON THE COUNCIL, POLITICAL BALANCE AND ENTITLEMENT TO SEATS

Consideration was given to a report that detailed the membership of Political Groups on the Council, political balance and the entitlement to seats on, and the proposed appointments to Committees, Boards and Panels.

It was noted that Section 15 of the Local Government and Housing Act 1989 placed a duty on local authorities to set out the principles to be followed when allocating seats to political groups and for these principles to be followed when determining such allocation following formal notification of the establishment of political groups in operation on the Council. It was noted further that there was a requirement on local authorities to annually review the entitlement of the political groups to seats on the committees of the council.

COUNCIL MEETING - 26/05/21

The report stated that the allocation of seats must follow 2 principles:

- a) Balance must be achieved across the total number of available seats on Committees; and
- b) Balance must be achieved on each individual Committee or body where seats are available.

The report stated that there were presently 4 political groups in operation on the Council – the Labour Group (majority), Conservative Group (opposition), Liberal Democrat (LibDem) Group and Rotherham Democratic Party (RDP) Group – with one non-aligned Councillor (members who are not in a political group).

It was noted further that there were 149 seats available on Committees, Boards and Panels, and under the calculation the Labour Group was entitled to 82 seats, the opposition Group 51 seats, the LibDem Group 7 seats, the RDP Group 7 seats. Two seats had been allocated to the one non-aligned Councillor.

Councillor Sylvester requested that his vote against the recommendation on the appointment of Members to Committees, Boards and Panels, and the appointment of Chairs and Vice-Chairs be recorded.

Resolved: -

- 1) That the operation of 4 political groups on the Council and the detail of their designated Leaders, as detailed below be noted:
 - a. **Labour Group** – Councillor Chris Read (Leader of the Majority Group)
 - b. **Conservative Group** – Councillor Emily Barley (Leader of the Majority Opposition Group)
 - c. **Liberal Democrat Group** – Councillor Adam Carter (Group Leader)
 - d. **Rotherham Democratic Party Group** – Councillor Rob Elliott (Group Leader)
- 2) That the entitlement of seats of the membership of the political groups, as detailed in the officer's report be approved, and that such entitlements be reflected in Council's appointments of Members to Committees.

3) That the Leader's appointments to Cabinet, as detailed below be noted.

Deputy Leader and Cabinet Member for Neighbourhood Working – Councillor Allen

Cabinet Member for Adult Social Care and Health – Councillor Roche

Cabinet Member for Children and Young People – Councillor Cusworth

Cabinet Member for Corporate Services, Community Safety and Finance – Councillor Alam

Cabinet Member for Housing – Councillor Brookes

Cabinet Member for Jobs and the Local Economy – Councillor Lelliott

Cabinet Member for Social Inclusion – Councillor Sheppard

Cabinet Member for Transport and Environment – Councillor Beck

4) That the appointment of Members to Committees, Boards and Panels, and the appointment of Chairs and Vice-Chairs, as set out below, be approved.

Audit Committee

Councillor Baker-Rogers (Chair)
Councillor Hoddinott (Vice Chair)

Councillor Barley
Councillor Wilson
Councillor Wyatt

Licensing Board

Councillor Ellis (Chair)
Councillor Hughes (Vice Chair)

Councillor Bacon
Councillor Baker-Rogers
Councillor Ball
Councillor Barker
Councillor Browne
Councillor Clark
Councillor Cowen

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Councillor Griffin
Councillor Jones
Councillor McNeely
Councillor Mills
Councillor Pitchley
Councillor Reynolds
Councillor Sansome
Councillor Singleton
Councillor Sylvester
Councillor Whomersley
Councillor Wyatt

Licensing Committee

Councillor Ellis (Chair)
Councillor Hughes (Vice Chair)

Councillor Bacon
Councillor Ball
Councillor Barker
Councillor Browne
Councillor Clarke
Councillor Cowen
Councillor Griffin
Councillor Jones
Councillor Mills
Councillor Pitchley
Councillor Reynolds
Councillor Wyatt

Planning Board

Councillor Atkin (Chair)
Councillor Bird (Vice Chair)

Councillor Castledine-Dack
Councillor Cowen
Councillor Elliott
Councillor Fisher
Councillor Havard
Councillor Keenan
Councillor Khan
Councillor McNeely
Councillor Miro
Councillor Sansome
Councillor Tinsley
Councillor Wilson
Councillor Wooding

Staffing Committee

Councillor Alam (Chair)
Councillor Allen (Vice Chair)

Councillor Read
Councillor Reynolds
Councillor Singleton

Standards and Ethics Committee

Councillor McNeely (Chair)
Councillor Griffin (Vice Chair)

Councillor Bacon
Councillor Castledine-Dack
Councillor Collingham
Councillor Cooksey
Councillor Hughes
Councillor Sylvester

Parish Council Reps – to be confirmed

Overview and Scrutiny Management Board

Councillor Clark (Chair)
Councillor Barley (Vice Chair)

Councillor Baker-Rogers
Councillor Baum-Dixon
Councillor Burnett
Councillor A. Carter
Councillor Cooksey
Councillor Elliott
Councillor Hoddinott
Councillor Pitchley
Councillor Wyatt
Councillor Yasseen

Health Select Commission

Councillor Yasseen (Chair)
Councillor Baum-Dixon (Vice Chair)

Councillor Andrews
Councillor Atkin
Councillor Aveyard
Councillor Baker-Rogers
Councillor Barley
Councillor Bird

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Councillor A. Carter
Councillor Elliott
Councillor Griffin
Councillor Haleem
Councillor Havard
Councillor Hughes
Councillor Hunter
Councillor Thompson
Councillor Wilson
Councillor Wooding

Improving Lives Select Commission

Councillor Pitchley (Chair)
Councillor Cooksey (Vice Chair)

Councillor Aveyard
Councillor Barley
Councillor Browne
Councillor Burnett
Councillor C. Carter
Councillor Collingham
Councillor Cowen
Councillor Elliott
Councillor Griffin
Councillor Haleem
Councillor Hughes
Councillor Khan
Councillor Monk
Councillor Singleton
Councillor Thompson
Councillor Wilson

Improving Places Select Commission

Councillor Wyatt (Chair)
Councillor Burnett (Vice Chair)

Councillor Atkin
Councillor Barley
Councillor Cowen
Councillor Ellis
Councillor Havard
Councillor Jones
Councillor Keenan
Councillor Khan
Councillor McNeely
Councillor Mills
Councillor Miro
Councillor Pitchley

Councillor Reynolds
Councillor Sansome
Councillor Tinsley
Councillor Whomersley

Corporate Parenting Group

**Councillor Pitchley (Chair) – as Chair of Improving Lives
Councillor Cooksey (Vice Chair) – as Vice Chair of Improving Lives**

Councillor Collingham
Councillor Cowen
Councillor McClure

Introductory Tenancy Review Panel

Chair and Vice Chair to be drawn from the Improving Lives Scrutiny Commission or Improving Places Scrutiny Commission

Councillor Mills
Councillor Tinsley

Joint Consultative Committee

**Councillor Alam (Chair)
Councillor Allen (Vice Chair)**

Councillor Clark
Councillor Castledine-Dack
Councillor Hunter

Health and Wellbeing Board

Councillor Roche (Chair)

Councillor Cusworth
Councillor Thompson (Observer)

- 5) That the appointment of Members to joint committees, as set out below be approved.

Sheffield City Region Mayoral Combined Authority

Councillor Read
Councillor Allen – Substitute

Sheffield City Region Combined Authority Housing and Infrastructure Board

Relevant Cabinet Member

Sheffield City Region Transport and Environment Board

Relevant Cabinet Member

Sheffield City Region Education, Skills and Employability Board

Relevant Cabinet Member

Sheffield City Region Business Growth and Recovery Board

Relevant Cabinet Member

Sheffield City Region Audit Committee

Councillor Baker-Rogers
Councillor Barley

Sheffield City Region Scrutiny Committee

Councillor Clark
Councillor Barley

South Yorkshire Fire and Rescue Authority

Councillor Sansome
Councillor Ball

South Yorkshire Pension Authority

Councillor Havard
Councillor Fisher

South Yorkshire Police and Crime Panel

Councillor Baum-Dixon

Councillor Haleem

Mover:- Councillor Read

Seconder:- Councillor Allen

16. AUDIT COMMITTEE

In moving the minutes Councillor Wyatt noted his thanks to former Councillors Cowles, Vjestica and Walsh for their work on the Audit Committee and welcomed the new Members who had been appointed to the Committee.

Resolved: - That the reports, recommendations and minutes of the meeting of the Audit Committee held on 16th March, 2021, be adopted.

Mover:- Councillor Wyatt

Seconder:- Councillor Allen

17. HEALTH AND WELLBEING BOARD

In moving the minutes Councillor Roche noted his thanks to former Councillors Mallinder and Watson for their work on the Health and Wellbeing Board and welcomed the new Members who had been appointed to the Board.

Resolved: - That the reports, recommendations and minutes of the meeting of the Health and Wellbeing Board held on 10th March, 2021, be adopted.

Mover:- Councillor Roche

Seconder:- Councillor Cusworth

18. PLANNING BOARD

In moving the minutes Councillor Sheppard noted his thanks to past members of the Board, former Vice-Chair, former Councillor Williams and officers for their support. Councillor Sheppard also noted his thanks to the members of the public who had attended Planning Board meetings and engaged in the planning process.

Resolved: - That the reports, recommendations and minutes of the meetings of the Planning Board held on 25th February, 18th March and 8th and 29th April, 2021, be adopted.

Mover:- Councillor Sheppard

Seconder:- Councillor Atkin

19. LICENSING BOARD SUB-COMMITTEE AND LICENSING SUB-COMMITTEE

In moving the minutes Councillor Ellis thanked the former Vice-Chair, former Councillor Beaumont and former Members of Licensing for their work and welcomed the new Members who had been appointed to Licensing.

Resolved: - That the reports, recommendations and minutes of the meetings of the Licensing Board Sub-Committee held on 2nd February, 8th (am and pm), 17th March and 12th April 2021, and of the Licensing Sub-Committee of 11th March, 2021 be adopted.

Mover:- Councillor Ellis

Seconder:- Councillor McNeely

20. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

(1) Councillor Miro asked what was the size of the Council's pension fund?

Councillor Atkin explained it was good news and the South Yorkshire Pension Fund at 31st March ,2021 was valued at £9.71bn. Rotherham Council's share of the Fund was approximately 14%, therefore, the Borough Council's share of assets at 31st March 2021 would be about £1.38bn.

In a supplementary question Councillor Miro asked if any part of the fund had been from fossil fuels to assist with the effort to kick back the climate change crisis.

Councillor Atkin confirmed the Authority had been working on this for a while and had passed a motion to endeavour to be carbon neutral by 2030.

The fund made a return of 19.5% in 2020/21 and was estimated to be more than 100% funded at the whole fund level at the end of March.

South Yorkshire Pensions had a position statement in respect of Responsible investment (RI).

RI was the practice of incorporating Environmental, Social and Governance (ESG) issues into the investment decision making process.

South Yorkshire Pensions Authority had for many years adopted a proactive stance in relation to addressing ESG issues and the approach was set out in a number of different policy documents.

As the process of pooling the investments through the Border to Coast Pensions Partnership progresses, the Authority also worked with the 11 other funds in the partnership to a common responsible investment policy.

Talking to companies in which the Authority invested about issues of concern was another crucial activity that formed part of a responsible investment approach and this was done by both through working with Border to Coast who reported on this activity and also through the Local Authority Pension Fund Forum.

One of the biggest challenges faced by society was Climate Change and the impact of global warming. For the Authority as an investor this created risks that some companies invested in have a business model which was unsustainable in the long term while it also created opportunities in terms of new things to invest in. Given the significance of these issues the Authority have developed specific policies in this area.

21. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRPERSONS

(1) Councillor Hoddinott welcomed the good investment in libraries, including in her local one in Wickersley and asked the Cabinet Member to update her on the renovations taking place and when the library would reopen?

Councillor Sheppard confirmed the modernisation programme at Wickersley Library and Neighbourhood Hub was near completion and the site would be reopening to the public on Tuesday, 1st June, 2021. The modernisation had included a refresh of the library to improve its visual appearance and revitalise the interior in the form of:-

- redecorated walls and new carpets/vinyl flooring.
- new furniture including a reception counter and mobile shelving.
- improved ICT area including new public PC's, self-service unit and sections for people to use their own devices.
- a new study space.
- a new café area.
- a refreshed meeting room with new furniture.

This was, of course, just one part of the multi-million pound plan to invest in every library in the Borough, which had already secured a new library in Brinsworth and should see new facilities in Swinton and Thurcroft, as well as the new town centre library.

(2) Councillor A. Carter asked as the Council had declared a climate emergency, what was the policy and process regarding planting more trees on highways land?

Councillor Lelliott explained the Council did not have a specific policy on planting more trees on highways land. Individual sites were assessed on their merits. The Council had committed some funding to match a number of partner organisations, with a view to planting more than 12,000 new trees. These would be planted in a range of urban settings including on highways land, housing developments and urban parks.

In a supplementary Councillor Carter asked why with the Council's plan for more trees and achieved this in the last financial year, it found it often hard to get agreement from Highways. He asked would the Cabinet Member agree to undertake a review of the policies on highways in

COUNCIL MEETING - 26/05/21

particular help tackle climate urgency, plant more trees on highways land and make the process much swifter.

Councillor Lelliott confirmed the Tree Management Protocols and Guidance set out the Council's approach to the management of its own tree stock

As part of the Council's budget setting process an investment of £350,000 over the next 2 financial years was approved. The Service was currently developing a proactive planting strategy and working to identify appropriate and available land to support the delivery of this.

(3) Councillor Sylvester asked could the Cabinet Member please give their opinion on Rothercard as a tool to aid social inclusion for deprived neighbourhoods?

Councillor Sheppard explained for those may not know, Rothercard was a discounted scheme offered to people in the Borough who fell into one of the following categories:-

- Young people aged 16 to 19 years in full-time education.
- Looked after children/young people.
- Anyone aged over 60.
- Refugees/asylum seekers dependent on asylum seeker support payments.
- Adults on a low income.

The scheme offered customers a range of discounts on leisure activities across the Borough such as:-

- Concessionary rates on a range of leisure activities at Aston-cum-Aughton Leisure Centre, Maltby Leisure Centre, Rotherham Leisure Complex and Wath-upon-Dearne Leisure Centre.
- A Junior Rothercard rate has also been introduced on many sporting activities giving Rothercard holders under the age of 16 an extra 10 percent off the concessionary rate.
- A concessionary rate at Rotherham theatres.
- A concessionary entry price at selected leisure venues across South Yorkshire.

Everyone would want to maintain the principle of offering additional financial support to residents who needed it. However, it had been a long time since the card scheme was designed. Whether Rothercard as it currently existed offered the right discounts to those who needed them most, and whether that was the best possible use of the Council's financial support, was unclear at this moment.

This was why the Council was committed to reviewing the existing scheme and introducing a new card – perhaps an electronic version rather than a cardboard one – that met expectations and resources at the current time to give as much level of support in communities.

In a supplementary question Councillor Sylvester referred to deprivation and poverty and how this was not just about a lack of money, but exclusion from norms of society. Rothercard was a simple solution which back in its heyday had stickers in shops and worked for not just Council services. There appeared now to be less than 8,000 Rothercard owners so encouraged more support in this scheme and asked the Cabinet Member if he would ensure this was properly advertised with discounts and targeted and marketed in the areas and communities where the cards came from.

Councillor Sheppard confirmed involvement was key and when the new scheme was relaunched he would be looking at Members to promote being a provider. The key aim was for a holistic approach to communities in order to enable people to play an active role in activities and social groups and break down any barriers to participating in society.

(4) Councillor Sylvester asked with an estimated £16 billion in unclaimed means tested benefits each year (source entitledto.co.uk) an example being a take-up rate of just 60% of eligible claimants for pension credit (source DWP) what measures did the Council have in place to maximise benefit take-up in the Borough please?

Councillor Sheppard confirmed the Council's Advocacy and Appeals Team provided debt and complex benefit advice. Referrals come from Adult Social Services, direct from the public and CAB. Through the work of the Financial Inclusion and Advocacy and Appeals Teams, over 2,500 residents have been supported making benefit claims and appeals. The total value of benefits claimed as a result of this advice was over £2.1m since April 2019.

The Council also commissioned Citizens Advice and Kiveton Park Advice Services, and worked alongside a number of other groups as part of its "Single Advice Model". From all the work undertaken in partnership across a range of issues, the amount of money gained that has benefited people in Rotherham had increased from £2.8 million in 2019 to £5.4 million in 2020.

In addition, the Council also commissioned Age UK and MacMillan to provide specialist support to specific groups.

Finally of course, the Housing, Revenue and Benefits and Care Leaving staff would regularly signpost residents to national welfare services at times when it was felt they may be eligible.

In a supplementary question Councillor Sylvester referred, as an example, to a local elderly resident, who having worked all his life and then cared for an elderly relative, found himself without any money for 7 weeks, having to use food banks and no idea how to access or seek help digitally in order to claim. He asked, therefore, if the Cabinet Member would look to working with the Cabinet Member for Neighbourhoods to perhaps enable Members' surgeries to be used as a one-stop service in Wards where people struggled.

Councillor Sheppard confirmed he would be more than willing to help any individual out especially where they were struggling with applications and would happily work with the Cabinet Member, Neighbourhoods Teams and even Councillor Sylvester if any families wished to contact him.

(5) Councillor A. Carter asked after the disastrous anti-business Cumulative Impact Zone policy was introduced to Wickersley, would the administration commit to removing this during the next 3 years and would they give a commitment today that they would not look to introduce any more of these in other areas of the Borough?

Councillor Lelliott was confused with what Councillor Carter meant by "disastrous". As night time entertainment venues began to re-open after the lockdown, all the signs continued to indicate a thriving local economy in Wickersley, but with local residents able to call on some extra protections from the Licensing Service to help to reduce anti-social behaviour. The Council would consider any future areas based on their circumstances and following consultation with local residents.

In a supplementary question Councillor Carter asked given that the Cabinet Member disagreed, did she not see that there were areas in the Borough and district centres that had seen a sharp decline in business. Clearly the Cabinet Member did not have the policies to improve district centres, even when the Council was pro-business and supported jobs in the local economy.

Councillor Lelliott disagreed there had been a disaster in Wickersley. The Licensing Policy supported businesses to thrive and ensure communities had a decent quality of life and as a result no applications to this effect had been refused.

(6) Councillor C. Carter asked why fly-tipping and littering were still an issue on Grange Lane in Brinsworth and what enforcement action had taken place in the past 12 months?

Councillor Beck explained the Council had undertaken 6 fly tipping investigations in the Grange Lane area of Brinsworth over the previous year. Unfortunately, due to no evidence being available, no formal enforcement action had been taken in relation to these investigations. As ever, if there was evidence that would enable enforcement action, the Council would do so.

Officers did, however, visit the area regularly to undertake patrols and respond to complaints and Fixed Penalty Notices for littering were issued, most recently nearby on Brinsworth Lane.

The Cabinet Member reassured Members more widely that even though enforcement action was affected significantly by the pandemic, in the last year 59 Fixed Penalty Notices have been issued for fly-tipping offences across the Borough and since September, when the Council's enforcement partner restarted, 647 Fixed Penalty Notices had been issued for littering and dog fouling across Rotherham. Between January and March this year 28 cases had also been prepared for prosecution and were currently awaiting a Court date.

In a supplementary question Councillor Carter confirmed some real progress had been made, but did the Cabinet Member agree the need for additional steps to solve this problem.

Councillor Beck confirmed this was an ongoing issue across the country not just in Rotherham and the Council was having to work smarter and work with colleagues across the borders. He would continue to work with Members out in neighbourhoods and would look to innovative ways of tackling these issues moving forward.

(7) Councillor C. Carter referred to Council housing tenants in Brinsworth being assured that the scheduled refresh of their properties was due for the 2018/19 financial year, yet this had not happened. The Cabinet Member was asked what were the reasons for this and when could residents expect this to happen?

Councillor Brookes confirmed that there had been a delay to planned capital investment work in Council housing at Brinsworth, due to COVID.

The Housing Service carried out external stock condition surveys in Brinsworth in 2018/19. This information was used to help plan what works if any, would be needed within the next 5/10 years in this area. Work for residents in this area was expected in 2022/23 over the next 2 financial years.

In a supplementary question Councillor Carter asked given that the refreshes were significant and behind schedule which was unacceptable, what steps were being taken to ensure delays like this were prevented in the future.

Councillor Brookes confirmed the budget had been carried over to enable the works to be completed and assured Councillor Carter that, as the new portfolio holder, she would be monitoring repairs and maintenance and housing asset improvement programme were at the top of her agenda.

(8) Councillor Miro asked how much of the recyclable waste collected was currently recycled and how could this be improved?

Councillor Beck explained the Council was serious about increasing recycling and undertook a significant Waste Service review in 2018 including consultation with residents with transformation over last 3 years. This resulted in improvements to recycling being introduced across Rotherham, including the introduction of plastic recycling and the introduction of the smaller pink lidded general waste bin.

This had been a real success with the amount of cans, glass and plastic collected having doubled and paper and cardboard waste collected increasing by nearly 40%.

The Service was now collecting 75% more dry recycling from residents' homes than in 2018. The general waste from pink lidded bins was sent to the waste facility at Manvers, where more recyclable materials were extracted and sent for processing. Only 1.7% of the waste produced in Rotherham was sent to landfill.

This meant that the Council currently recycled 43.16% of all waste collected.

(9) Councillor Tinsley asked with the application deadline for the Levelling Up Fund on 18th June, would RMBC make a credible bid for investment in all 3 Rotherham constituencies where £60million was up for grabs. Where for example in Maltby, this could form part of a bid for improvements to the High Street, Coronation Park or to save the old Maltby Grammar School building.

Councillor Lelliott explained she was sure that after 11 years of austerity, everyone would all want to see more investment in the Borough, and it was a shame that the Government had chosen such an ill-conceived system as the Levelling Up Fund to dangle the carrot of money in front of communities like Rotherham.

Councillor Tinsley mentioned 3 potential projects that may all be very worth, but the Government had given just 3 months to draw up costed schemes, to be judged against Treasury Green Book methodology, asking for public consultation. In contrast, the Government took nearly 5 times as long as that just to approve the Future High Streets Fund bid.

Despite that, staff were doing all that they could to ensure that the Council submitted 3 bids by the Government's 18th June deadline, comprising those projects most capable of meeting the Levelling Up Fund criteria. This could include consideration of projects in Maltby as well as other areas.

(10) Councillor Castledine-Dack asked could the Council confirm that it would submit a strong bid for £20 million from the Levelling Up Fund which was based on plans put forward by Dinnington Community Land Trust and Dinnington St John's Town Council to rejuvenate Dinnington town centre in time for the first-round deadline on June 18th?

Councillor Lelliott explained, without repeating from the answer before, that the Council aimed to put forward a bid that included the Dinnington District Centre and engagement with key stakeholders was underway with a review of the existing proposals from a range of groups. Projects would be put forward that meet the Government's criteria for this funding stream.

(11) Councillor Elliott asked what justification was there for RMBC Leaseholders having to pay out a 35% increase in their service charge this financial year.

Councillor Brookes explained this was good news in that overall leasehold service charge bills were lower this year compared to 2019/20. The average cost per leaseholder this year was £427, whereas last year the average cost was £965 – a reduction of more than half.

Leasehold service charge bills were comprised of a range of elements including contributions to any major repairs, building insurance, communal cleaning, and management costs. It was only the management cost element of the leasehold service charge that had increased, from £107.14 last year to £142.55 this year. However, since major repair works had been reduced during the pandemic, bills had fallen accordingly.

The fee did not cover the cost of running the Service and it was agreed to full cost recovery so management costs were fully recovered.

In a supplementary question Councillor Elliott had spoken to leaseholders and sought their views. This increase would give an extra £20k so who would benefit; not the resident. One such resident was paying for his own building issues, repairs and, with no communal areas, was not getting anything for paying his service charge. Only leaseholders with communal areas, stairs and entrances were getting a service. Would the Cabinet Member look at how the increase was calculated, who signed it off and why some leaseholders have to pay for no end product.

Councillor Brookes explained the costs calculated were a proportion of staffing costs dedicated to leaseholder management. It was not possible to identify costs for this particular resident, but the Home Ownership Service provided clear information to leaseholders on how they could challenge services charges if they believed them to be unfair. The Council also offered various repayment options to any leaseholders who were struggling to pay the charges.

(12) Councillor Barley asked if the Leader agreed with her that it was high time the Council made business more accessible to the public and, therefore, ourselves more accountable, by scheduling these meetings, as well as the meetings of Committees and Boards, outside of office hours?

The Leader replied that meetings held at a time allowed Members of the Committee or Council to play a full role, but was happy to consider when was the best time for Members to take part in those meetings.

Improving Lives regularly met in the evening and had had no discerning improvement in attendance. The Council did not guillotine its meetings. However, a guillotine may be required if meetings moved to an evening especially if they continued into the small hours. A later evening meeting may not always be the best and not necessarily all accessible to the public. This would be set in the context of when the best time would be for each meeting.

(13) Councillor Barley asked did the Leader not think that the Labour Party's nomination of the same Mayor for the third year in a row, in what was commonly an annual honorary position, exposed the lack of depth in the dramatically smaller Labour Group and further contributed to the impression that Labour was something of a setting sun in Rotherham?

The Leader disagreed.

(14) Councillor Barley asked if the Cabinet Member was satisfied that all possible work had been done, and no stone left unturned, in the effort to protect women and girls in Rotherham from organised sexual exploitation, and that the horrors of the past remained in the past?

Councillor Cusworth assured Councillor Barley the Council had strong services and partnership arrangements in place to prevent CSE, and to support victims of such terrible crimes when they did sadly occur. The Council continued to work closely with the National Crime Agency to prosecute perpetrators of non-recent offences, and would continue to do so for the foreseeable future. For many of those people, they very much continued to live with the horrors of the past. At the same time, there would always be men who wished to sexually abuse children. So no-one should be in any way complacent about that.

Since being elected in 2016 the Cabinet Member had been involved in matters related to CYPS, CSE and post-abuse support for survivors. She suggested that all Members work together to raise awareness and report everything. CSE was everyone's business and she looked forward to working with everyone.

(15) Councillor McNeely as the Ward Councillor for the Boston Castle Ward, which included the Town Centre, wondered what the Cabinet Member's response was to the MP Alex Stafford's comment that "Forge Island is a White Elephant Scheme".

Councillor Lelliott confirmed she was astonished to hear the comments from the MP for Rother Valley South. She did not think it was the job of an MP to run down the town that they represented, but this, of course, was the problem with the Tory approach of pitting communities against each other for one-off pots of funding.

Forge Island was the key step in delivering the town centre masterplan - a masterplan, that was developed through extensive consultation with communities, businesses and investors and which clearly identified that:-

- People who lived in Rotherham wanted a development like Forge Island – a development they would use and that they could be proud of and;
- That businesses and investors could see the opportunity that Forge Island offered and were eager to be part of Rotherham's successful regeneration.

The Cabinet Member was glad the Council had pressed ahead, secured a developer, completed high quality enabling works, signed up a state of the art, 8 screen multiplex cinema and were close to announcing deals with other occupiers. Far from being a white elephant, Forge Island was exactly what Rotherham needed, it was what people wanted, and she was proud to say it was being delivered.

22. URGENT ITEMS

There were no urgent items.

Committee Name and Date of Committee Meeting

Council – 21 July 2021

Report Title

Petitions

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

No

Strategic Director Approving Submission of the Report

Sharon Kemp, Chief Executive

Report Author(s)

Debbie Pons, Governance Advisor

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Ward(s) Affected

Borough-Wide

Report Summary

This report provides Members with a list of all petitions received by Rotherham MBC since the Council meeting held on 3rd March, 2021 and details which petitions will be presented by members of the public at this Council meeting.

No petitions have been submitted since the previous Council meeting that meet the threshold for consideration by the Overview and Scrutiny Management Board. Similarly, no petitions have met the threshold to require a debate at the Council meeting.

This report is submitted for Members' awareness of the items to be presented to the Council meeting.

Recommendations

1. That the report be received.
2. That the Council receive the petitions listed at paragraph 2.2 of the report and lead petitioners be entitled to address the Council for a total period of five minutes in accordance with the Council's Petition Scheme.
3. That the relevant Strategic Directors be required to respond to the lead petitioners as set out by 4th August, 2021.

List of Appendices Included

None

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Petitions

1. Background

1.1 The Council refreshed its Petition Scheme in May 2019, following its introduction in 2010 after legislative changes requiring local authorities to respond to petitions. Whilst the Localism Act 2011 repealed that statutory requirement, the Council has maintained its commitment to responding to issues raised by local people and communities in respect of matters within the Council's remit.

1.2 The current Petition Scheme sets thresholds for various routes that petitions can take through the decision making process:-

- Up to 20 signatures – not accepted as a petition.
- 20 to 599 signatures – five minute presentation to Council by Lead Petitioner and response by relevant Strategic Director.
- 600 to 1,999 signatures – five minute presentation to Council by Lead Petitioner and referral to Overview and Scrutiny Management Board for review of the issues, followed by response by the Chair of Overview and Scrutiny Management Board setting out their findings and recommendations.
- 2,000 signatures and above – five minute presentation to Council by Lead Petitioner followed by a 15 minute debate of the petition by the Council, followed by response by relevant Strategic Director on behalf of the Council.

1.3 This report is submitted for information to detail the number of petitions received since the Council meeting held on 3rd March, 2021 and the route that these petitions will take through the Council's decision making processes.

2. Key Issues

2.1 Since the Council meeting held on 3rd March, 2021, no petitions have been received that would require a debate by the Council or referral to the Overview and Scrutiny Management Board.

2.2 The following e-petitions have been received which meet the threshold for presentation to the Council meeting and for a response to be issued by the relevant Strategic Director:-

Subject	Number of Valid Signatures	Lead Petitioner	Strategic Director to respond
HGV Activity through Maltby	121 signatures	Mrs. J. Walker	Regeneration and Environment

Pedestrian Crossing outside Kilnhurst Primary School, Hooton Road, Kilnhurst	258 signatures	Mrs. Beever	K.	Regeneration and Environment
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2.3 In accordance with the provisions of the Council's Petition Scheme, a response will be issued to the Lead Petitioner by 4th August, 2021.

3. Options considered and recommended proposal

3.1 This report is submitted for information and Members are recommended to note the content and resolve that the petitions received be administered in accordance with the provisions of the Council's Petition Scheme.

4. Consultation on proposal

4.1 This report is submitted for information in order to detail the petitions received by the Council since the Council meeting held on 3rd March, 2021. There are no consultation issues directly associated with this report.

5. Timetable and Accountability for Implementing this Decision

5.1 Under the provisions of the Council's Petition Scheme, Strategic Directors are accountable for the provision of responses to petitions received by the authority. The scheme provides for responses to be issued to the lead petitioner following the Council meeting. As a customer service standard, the Council has committed to responding to petitions within ten working days of the Council meeting.

6. Financial and Procurement Advice and Implications

6.1 There are no financial or procurement implications directly associated with this report.

7. Legal Advice and Implications

7.1 There are no legal implications directly associated with this report.

8. Human Resources Advice and Implications

8.1 There are no human resources implications directly associated with this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 Whilst there are petitions listed for presentation that have implications for children and young people, there are no implications for either children and young people or vulnerable adults directly arising from this report.

10. Equalities and Human Rights Advice and Implications

10.1 There are no specific equalities or human rights implications directly associated with this report.

11. Implications for Ward Priorities

11.1 There are no direct implications on ward priorities arising from the petitions referred to earlier in this report.

12. Implications for Partners

12.1 There are no known implications for partners arising from the petitions referred to earlier in this report.

13. Risks and Mitigation

13.1. As this report is submitted for information, there are no risks associated with the presentation of information in respect of petitions received.

14. Accountable Officers

Craig Tyler, Head of Democratic Services

*Report Author: Debbie Pons, Governance Advisor
01709 22054 or debbie.pons@rotherham.gov.uk*

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

**THE CABINET
21st June, 2021**

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

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

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) Councillor Sylvester asked the Cabinet Member for Social Inclusion about the Civic theatre. Councillor Sylvester stated that the average price for tickets, during the autumn programme of events, was £16.88 with an average discount for children, students, Rothercard users, senior citizens and the disabled of 52p or 3.1%. There were a number of shows that did not offer any discount. Councillor Sylvester asked the Cabinet Member if he believed that a 52p discount was something that would encourage residents from deprived groups or neighbourhoods to take part in what should be a social and cultural norm of attending the theatre?

The Cabinet Member for Social Inclusion stated that the Council needed to do everything it could to ensure that all communities were engaged with all available cultural offers around the Borough, be that the theatre, museums, other events. The Cabinet Member stated that he would be doing all he could to ensure that there was that level of engagement by different means, be that admission prices or working with the community devolved budgets to ensure that all communities are supported.

In his follow up question, Councillor Sylvester asked whether the Cabinet Member could monitor the attendance for the autumn programme (September to November) to see if capacity was at 100%. He also asked whether work could be done with the theatre on postcode harvesting to ascertain what areas of the Borough ticket holders were from. This would help identify gaps between deprived and less deprived areas and allow questions to be asked about what more can be done to help.

The Cabinet Member for Social Inclusion explained that he would be happy to request the information that was held subject to data protection regulations in order to identify areas where participation levels were lower and ascertain way to improve engagement.

(2) Councillor Sylvester asked the Cabinet Member for Jobs and the Local Economy about how COVID-19 was causing many commercial property holders to look at their portfolio's and re-evaluate their use. For example, a property on Main Street recently put in a planning application for a change of use. Councillor Sylvester asked how flexible the Town Centre Masterplan was to include changes of use from commercial to residential?

In the second part of his question, Councillor Sylvester asked about the library move and what would happen to the library space in Riverside House. He also asked whether the change from office working to homeworking could lead to the Council looking at its own commercial properties for residential development?

In the final part of his question, Councillor Sylvester asked how the Town Centre Masterplan was working with the new Forge Island Development and the good existing night time economy in Rotherham Town Centre?

The Cabinet Member for Jobs and the Local Economy explained that she was happy to sit down and talk to any Member about the Town Centre Masterplan. It was also explained that there would always have to be flexibility in the Plan so that it could adapt to any changes. Through the Local Plan process, the Council had changed some of the land allocations in the Town Centre from commercial to residential. This had caused the footprint of the Town Centre to shrink. Planning applications for change of use from commercial to residential in the Town Centre were being supported which reflected the change in the makeup of town centres across the country.

In response to the second part of the question, the Cabinet Member confirmed that a review was underway regarding all of the space at Riverside House, not just the library area. This was through the Asset Management Board who had noted the importance of town centre based workers as they were vital for the town centre economy.

In response to the final part of the question, the Cabinet Member confirmed that she did sit on a number of groups and sub-groups for the Town Centre who worked with local businesses and private developers to support the good night time economy. It was important to have everyone on board for the redevelopment of the Town Centre.

3.**MINUTES OF THE PREVIOUS MEETING**

Councillor Lelliott advised of a correction to Minute No. 136 of the minutes of the meeting held on 22nd March, 2021. Cabinet would formally respond to the recommendations from the Overview and Scrutiny Management Board Working Group review on building use at the July 2021 meeting, not the June 2021 meeting as stated.

Resolved: -

That the minutes, as amended, of the previous meeting of the Cabinet held on 22nd March, 2021, be approved as a true and correct record of the proceedings.

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

The Chair advised that Appendix 3 to the Town Centre Masterplan report, was exempt by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. However, the Appendix was not discussed during the meeting and as such, the meeting remained open to the press and public throughout.

5.**YEAR AHEAD PLAN - QUARTERLY UPDATE AND PROPOSAL TO EXTEND THE PLAN**

Consideration was given to the report which provided an update on the progress made with the Year Ahead Plan activities since September 2020. The Plan was the Council's plan for operating in and recovering from the COVID-19 pandemic. It aimed to support residents, communities and business through the challenges and uncertainty of the pandemic, helping to build resilience whilst also continuing to drive ambitions plans for Rotherham. The report also included a proposal to extend the Plan to November 2021 in order to provide time to develop a longer-term Council Plan.

The Leader explained that 36% of activities outlined in the Plan had been completed and 47% were on track. Three activities were "off track." The commissioning of new services to prevent financial exploitation was off track as the intended delivery partner was unable to go-ahead until the autumn; other options were being explored. The delivery of the £250k investment in Herringthorpe Stadium was off track as the site was currently hosting COVID-19 testing. The £425k investment in the Borough's other business centres was off track as the tender prices received were over budget and as such, additional funding was being sought.

It was confirmed that the Plan would be extended for a further 6 months, up to November 2021. This would allow time to engage with Members and Cabinet following the May 2021 elections on priorities that would inform a new longer-term Council Plan from 2022. Appendix 4 to the report outlined the activities in the extended Plan which included:

- the development of social supermarkets
- help for those at risk of abuse and homelessness
- contact tracing
- delivery of the residential strategy to keep children and young people safe
- the development and submission of bids for the Community Renewal Fund and the Levelling Up Fund.

Councillor Beck advised that the lead Cabinet Member for the activity listed at 5.15 of Appendix 4, promote the seven day Out of Hours Service, increasing access for noise and anti-social behaviour complaints, should be Councillor Alam and should be Councillor Lelliott for the activity listed at 6.3 of Appendix 4, develop a Council-building decarbonisation plan.

The report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board was fully supportive of the recommendations but requested that the Overview and Scrutiny Management Board Members be consulted and involved in the development of both the format and contents of the new medium-term Council Plan. It was also requested that Overview and Scrutiny Management Board Members receive regular updates, at a frequency and in a format to be determined, on performance against the objectives contained in the new medium-term Council Plan.

Resolved: -

- (1) That progress made with the Year Ahead activities is noted.
- (2) That the proposal to extend the Year Ahead Plan to November 2021 is agreed.
- (3) That the Year Ahead Plan extension will be replaced by a new medium-term Council Plan, to be recommended by Cabinet for adoption by the full Council in January 2022 is noted.
- (4) That Overview and Scrutiny Management Board members be consulted and involved in the development of both the format and contents of the new medium-term Council Plan.
- (5) That Overview and Scrutiny Management Board members receive regular updates, at a frequency and in a format to be determined, on performance against the objectives contained in the new medium-term Council Plan.

6.

APPOINTMENT OF COUNCILLORS TO SERVE ON OUTSIDE BODIES

Consideration was given to the report which detailed how outside bodies were external organisations which had a Council appointed representative but had their own governance structures.

Appointments to outside bodies were seen as an important mechanism for community leadership, partnership and joint working along with knowledge and information sharing. At the Annual Meeting on 19th May, 2017, the Council approved procedure rules that detailed how Councillors would be appointed to serve on outside bodies.

The report, therefore, presented the nominations received and recommended the appointment of the nominees to the various organisations and partnerships.

The Leader advised that since the publication of the report, Councillor Wyatt had been nominated for the vacant Don Catchment Working Group position and the vacant National Association of British Market Authorities position. Councillor Sylvester had been nominated for the vacant Rotherham and District Citizen's Advice Bureau position.

The report also recommended that Cabinet instruct the Assistant Chief Executive to discontinue membership of Crestra Ltd (formerly Groundwork Creswell Ashfield and Mansfield.) The geographical footprint of the organisation did not correspond with that of the Council and there had been no recent dealings with Crestra Ltd or under its former name of Groundwork Creswell, Ashfield and Mansfield.

Resolved: -

- (1) That Cabinet agrees that Councillors be appointed to serve on Outside bodies, as detailed on the schedule in Appendix 1.
- (2) That Cabinet instruct the Assistant Chief Executive to discontinue membership of Crestra Ltd (formerly Groundwork Creswell Ashfield and Mansfield.)

7.

PRESCRIBED ALTERATIONS TO THE WILLOWS SPECIAL SCHOOL

Consideration was given to the report which sought approval for the commencement of a period of pre-statutory consultation in relation to proposals to make prescribed alterations to the Willows Special School. Following the implementation of the Special Education Needs and Disability (SEND) phase 1 capital projects programme approved by Cabinet in February 2018, additional capacity was added at the Willows Special School by the building of additional teaching and learning spaces as an extension to the existing school building.

In March 2019, Cabinet approved the increase in registered places at the school from 100 to 120 and a change to the age range from 7-16 years to 7-19 years. However, demand for places had continued to increase and the School funded a capital project to convert the disused caretaker's bungalow on site and other School space to create additional teaching and learning space. The number of pupils who would be attending the school in September 2021 was 175. Due to COVID-19 restrictions, this has impacted on post-16 transitional arrangements for pupils which added to the numbers and plans in place to secure longer term transitional arrangements as part of 6th form opportunities, reducing number of pupils on site.

Because of the increased cohort, it had become necessary to increase the number of registered places at the School. The proposals fell within the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 because the number of pupils in a special school on a permanent basis had increased by 10% or 20 pupils (whichever was the lowest) which was expected to be in place for more than 2 years. A capacity assessment at the School completed in April 2021 determined the capacity of the School to be sufficient for 150 pupils following the expansion project and adaptions.

The report sought approval to commence a period of pre-statutory consultation on the proposals to increase the number of planned places at the School from 120 to 150 by making the prescribed alterations.

Councillor Cusworth, the Cabinet Member for Children and Young People's Services, explained that the increase was necessary. If Cabinet decided to reject the proposal it would mean some students would have to be removed from the School which would be negative for the students, their families and the Council. It was confirmed that a report would be brought back to Cabinet following the consultation.

Resolved: -

- (1) That approval be granted to the commencement of a period of pre-statutory consultation in relation to proposals to make prescribed alterations to the Willows Special School.
- (2) That a further report be submitted outlining the outcome of pre-statutory consultation and seeking approval to proceed to a period of statutory consultation.

8. EDUCATIONAL VISITS POLICY

Consideration was given to the report which explained that the current Educational Visits Policy was due for revision to reflect current best practice and the change in the education landscape. The Policy had been reviewed and rewritten in line with the Outdoor Education Advisors Panel National Guidance for the management of outdoor learning, off-site visits

and learning outside the classroom. The revised Policy was to be titled “Learning Outside the Classroom (LOtC) and Educational Visits Policy and Guidance 2021” and would replace the Rotherham LEA Circular 146 Educational Visits Policy and Guidance 2009.

The appendices to the Policy were rationalised and updated as part of the rewrite. The Policy was for schools where RMBC was the employer and was applicable to other areas and activities of RMBC when working with children/young people and offsite visits were planned. The Policy also applied to non-maintained schools and other educational settings who had purchased Educational Visits Advice and Guidance from RMBC via a Service Level Agreement.

Resolved: -

- (1) That RMBC recognise and accept the Outdoor Education Advisors Panel National Guidance for the management of outdoor learning, off-site visits and learning outside the classroom, as the basis for its educational visits policy and guidance.
- (2) That the revised educational visits policy titled “Learning Outside the Classroom (LOtC) and Educational Visits Policy and Guidance 2021” is accepted as a replacement for Rotherham LEA Circular 146 Educational Visits Policy and Guidance 2009.
- (3) That approval for revisions to the appendices (working documents) of the Learning Outside the Classroom (LOtC) and Educational Visits Policy and Guidance is delegated to the Strategic Director of Children and Young People’s Services, enabling updates to be made in a timely manner as and when required.

9.

EQUALITIES ANNUAL REPORT - 2020/21

Consideration was given to the report which was part of the Council’s Public Sector Equality Duty. The report highlighted the progress made over the past 12 months towards the equalities agenda as well as outlining the next steps.

The COVID-19 pandemic had exacerbated existing inequalities, with the most disadvantaged communities being hit the hardest. It had also uncovered latent vulnerabilities within Rotherham communities. Equalities had remained an important priority for the Council throughout the pandemic and would continue to be a priority as the Borough moves into recovery.

The report was structured around 4 themes: understanding and working with communities; leadership and organisational commitment; responsive services and customer care; and diverse and engaged workforce. As part of the Equality for All Strategy, the Council had made a commitment to reach “Excellent” within the LGA’s Equality Framework by 2022.

Councillor Alam outlined some of the positives in the Equalities Annual Report which included the peer review recommendation being implemented; the imbedding of equalities rather than adding equalities at the end of a process and the building of equalities into the Town Centre Masterplan.

Priorities moving forward were to work more closely and more consistently with communities; develop the Rotherham Heroes volunteer programme; refresh the equalities objectives through working with Scrutiny Members; develop customer care and develop the social value work to build equalities into procurement processes. Training was also being developed and reviewed.

The report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board was fully supportive of the recommendations and thanked officers for the presentation at the meeting. It was requested that Overview and Scrutiny Management Board Members be provided with the training and information to enable them to provide effective scrutiny and oversight of the equalities agenda at the Council in order to ensure the best equalities outcomes are obtained for both residents and Council employees.

Resolved: -

- (1) That Cabinet note the progress made over the past 12 months towards the equalities agenda.
- (2) That Cabinet note the next steps outlined in the Equalities Annual Report.
- (3) That Members of the Overview and Scrutiny Management Board be provided with the training and information to enable them to provide effective scrutiny and oversight of the equalities agenda at the Council in order to ensure the best equalities outcomes are obtained for both residents and Council employees.

10. FINANCE UPDATE AND BUDGET MONITORING REPORT

Consideration was given to the report which provided an update on a number of financial matters including those related to COVID-19. The Financial Outturn 2020/21 and Financial Monitoring 2021/22 report was due to be submitted to Cabinet in July 2021.

There were 2 main factors contributing to an underspend which was higher than anticipated within the financial monitoring to Cabinet in February 2021. The first was that the Council had continued to maintain dialogue with Government on the costs to the Council arising from Operation Stovewood, costs which the Council managed within its overall budget. The Government confirmed in March 2021 that a grant of £2m would be paid in 2020/21 towards the Council's Stovewood costs. There was no commitment from the Government as yet for any further or ongoing support for the costs.

The second factor related to the funding from the Government's Contain Outbreak Management Fund (COMF). In December, 2020, the Council had received funding of £5.1m from a number of grants linked to COMF, including Test and Trace support funding, payments per head of population linked to national lockdown and payments per head of population linked to tiered restrictions. The total cost of the measures that the Council had in place to address outbreak management during 2020/21 was in excess of the £5.1m grant received and also required a significant amount of funding to be reserved to allow measures to continue across 2021/22.

It was reported that a total of £83.7 million of Business Support Grants had been delivered by the Council to over 5,000 businesses. Appendix 1 to the report set out a detailed breakdown of each of the business support schemes.

The Leader explained that it had been an exceptional year but that the Council was in a sustainable financial position due to the hard work of officers and Elected Members. It was explained that the grant funding allocation was very complex and labour intensive and as such had increased the workload for the Finance Team. The Leader also confirmed that the Local Self-Isolation Support Scheme would be brought to a close at the same time as the Government's Test and Trace Support Scheme.

Cabinet were also informed that an officer executive decision was taken by the Strategic Director of Adult Care, Housing and Public Health on 12th April, 2021, regarding hospital discharge when NHS funding ceases and local funding arrangements resume. The recommendations of the officer executive decision were:

- Anyone eligible for the interim NHS Hospital Discharge Funding Scheme that commenced in March 2020 would not be expected to make client care contribution costs until 12th April, 2021.
- Anyone who had already been assessed and who had moved off the interim NHS funding, and had been making a financial contribution towards their care costs, would be reimbursed their full client care contribution costs from the date they became eligible for the NHS funding until 11th April, 2021, inclusive.

- No back dated client contribution charges would be applied for anyone whose care services were incorrectly recorded as interim NHS funding codes but who were not eligible for the scheme.
- Anyone eligible to make a client contribution, and who was still on the NHS funding scheme would become liable for their client care contribution cost from 12th April, 2021.

These recommendations were approved as the Council's charging policy was designed for "business as usual" circumstances and did not account for the impact of the pandemic.

The report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board was fully supportive of the recommendations and requested that a further report be brought to the October 2021 meeting of the Overview and Scrutiny Management Board regarding the allocation of COVID-19 related Support Grants.

Resolved: -

- (1) That the update on the revenue budget financial outturn 2020/21 be noted.
- (2) That the Council's position on the delivery of Business Support Grants and Test and Trace support payments be noted.
- (3) That the Council's approach to the delivery of the Hardship Fund, in providing greater levels of Local Council Tax Support be noted.
- (4) That the Government's main COVID-19 Grant Support Schemes, as detailed in section 2.5 of the report submitted, be noted along with the continued approach for payment to suppliers as detailed in section 2.7
- (5) That the approach taken with regards to Adult Social Care Contributions as detailed in section 2.6 of the report submitted be noted.
- (6) That the Local Self-Isolation Support scheme is brought to a close at the same time as the Government's Test and Trace Support Scheme.
- (7) That a report be submitted to the October 2021 meeting of the Overview and Scrutiny Management Board regarding the allocation of COVID-19 related Support Grants.

11.

TOWN CENTRE MASTERPLAN IMPLEMENTATION

Consideration was given to the report which provided an update on the delivery of the Town Centre Masterplan and in particular sought approval for the funding and implementation of phases 2, 3 and 4 of the public realm improvements contained in the Town Centre Masterplan.

Significant progress had been made with several key projects included in the Town Centre Masterplan. A cinema operator had been secured for the Forge Island site and the first phase of flood works had been carried out. Further work was due to commence in Summer 2021. The redevelopment of Rotherham Markets, including the relocation of the Central Library had had concept designs prepared and funding had been secured via the Future High Street Fund with works programmed to commence in 2022. Good progress had been made on the key aim of reintroducing a resident population to the town centre. Work was also underway on a package of public realm improvements, particularly between Forge Island and the wider Town Centre. Phase 1 of the scheme had been approved in December 2019 which included the redevelopment of Bridgegate, Frederick Street and College Street which were currently either complete or were in progress.

The map at paragraph 2.1 of the report submitted highlighted the location proposed for improvement as part of the Public Realm Phase 2 scheme, as detailed in Appendix 2.

The report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board was fully supportive of the recommendations and requested that all Members of the Overview and Scrutiny Management Board be consulted on the number, location and design of the public seating areas contained in the Town Centre Masterplan and that consideration be given to increasing the overall number of trees in the Town Centre.

Resolved: -

- (1) That Cabinet approve the implementation work of Town Centre public realm improvements on Effingham Street and Howard Street (Phase 2) and Upper Millgate and Forge Island Riverside Gardens (Phase 3), utilising secured grant funding as part of the Council's Future High Streets Fund bid.
- (2) That Cabinet approve the design works for Market Square, Upper Howard Street, Drummond Street and Eastwood Lane (Phase 4) utilising secured grant funding as part of the Council Future High Street Fund bid as part of the Overall Market Redevelopment Project.

(3) That all Members of the Overview and Scrutiny Management Board be consulted on the number, location and design of the public seating areas contained in the Town Centre Masterplan.

(4) That in addition to protecting established trees and replacing any unhealthy or dying trees, that consideration be given to increasing the overall numbers of trees in the Town Centre.

12. LOCAL PLAN: ADOPTION OF SUPPLEMENTARY PLANNING DOCUMENTS

Consideration was given to the report which sought approval for the adoption of the Affordable Housing, Development Viability, Natural Environment, Transport Assessment, Travel Plans & Parking Standards and Community Facilities Supplementary Planning Documents (SPD's.) The SPD's would provide additional detail and guidance to support policies in the Local Plan. Once adopted, they would be material considerations when determining planning applications. SPD's helped improve planning applications which in turn could speed up the planning process and produce better outcomes for the community.

Consultation on the draft SPD's had taken place in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's adopted Statement of Community Involvement. 28 representations had been received and a summary was provided in Appendix 8 to the report.

Resolved: -

That Cabinet approve the adoption of the Supplementary Planning Documents attached to the report at Appendices 3 to 7.

13. MARKET FEES AND CHARGES 2020/21 AND 2021/22

Consideration was given to the report which gave details on the proposals for a concession on the payment of market rents during the period of COVID-19 restrictions from 23rd March, 2020, to 17th May, 2021. It was reported that business for traders in Rotherham Market had been heavily impacted by the COVID-19 pandemic with trading largely ceased between March to July 2020 as part of lockdown restrictions.

Market traders in Rotherham had been supported by business rates relief, statutory Business Support Grants, local discretionary support grants and protection from eviction under rent provisions for established leaseholders. Demands for the payment of rent due from market traders had been put on hold over the past year and, in recognition of the challenges faced by market traders, a concession comprising a reduction of 50% of the rent due to be applied for the period 4th July 2020 to 23rd October 2020. For all other periods in the financial year 2020/21 it was

recommended that no rent be charged but that billing and charges be reinstated in full with effect from 1st June 2021.

Resolved: -

- (1) That in recognition of the challenges faced by markets traders a concession comprising a reduction of 50% of the rent due be applied for the period 4th July 2020 to 23rd October 2020.
- (2) That for all other days between 23rd March, 2020, and 31st May, 2021, no rent be charged.

14. BT REQUEST TO PERMANENTLY REMOVE THE PUBLIC PHONE BOX ON CANKLOW ROAD, ROTHERHAM

Consideration was given to the report which provided an update on the proposal by BT to close the telephony service and remove the telephone kiosk on Canklow Road following 2 recent arson attacks.

In line with Ofcom guidance, the Council had consulted on the proposals by BT. The final decision was taken by the Assistant Director, Planning, Regeneration and Transport, under the Council's Scheme of Delegation, consenting to BT's proposal.

Resolved: -

That Cabinet note the decision to consent to BT's proposal to close the telephony service and remove the kiosk on Canklow Road, Rotherham.

15. 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.

16. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next meeting of the Cabinet be held on 19th July, 2021, commencing at 10.00 a.m.

Committee Name and Date of Committee Meeting

Council – 21 July 2021

Report Title

Amendments to appointment of Members to Committees, Boards and Panels.

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

No

Strategic Director Approving Submission of the Report

Jo Brown, Assistant Chief Executive

Report Author(s)

Barbel Gale, Governance Manager

01709 807665 or barbel.gale@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

This report informs Council of amendments to the nomination of Members to serve on Committees, Boards and Panels.

Recommendations

(1) That Council agree the amendments to the nominations of Members to serve on the Committees, Boards and Panels as listed below and that these amendments will take effect from 22 July 2021:

a) Improving Lives Select Commission:

Councillor Cowen is to be replaced by Councillor Andrews

b) Planning Board:

Councillor Aveyard is to be replaced by Councillor Lelliott

c) Licensing Board, Licensing Committee including sub-committees:

Councillor Cowen is to be replaced by Councillor Monk

(2) That Council notes the Membership of the Health, Welfare and Safety Panel as follows:

- Councillor Saghir Alam – Cabinet Member for Corporate Services, Community Safety and Finance
- Councillor Rose McNeely – Improving Places Select Commission
- Councillor Lyndsay Pitchley – Improving Lives Select Commission
- Councillor Joanna Baker-Rogers – Overview and Scrutiny Management Board

- TBC – Member and Democratic Panel

(3) That Council notes the following maternity leave arrangements, that Councillor Browne will deputise for Councillor Hoddinott, on the Audit Committee as Vice Chair and as a member of the Overview and Scrutiny Management Board from 12 July 2021 for an initial 3-month period, which will be extended further if required.

List of Appendices Included

None.

Background Papers

[Membership of Political Groups on the Council, Political Balance and Entitlement to Seats Report](#) to Full Council on 26 May 2021.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None.

Council Approval Required

Yes

Exempt from the Press and Public

No

Amendments to appointment of Members to Committees, Boards and Panels.

1. Background

1.1 At its meeting on 26 May 2021, Council agreed the appointment of Members to committees, boards and panels, and the appointment of Chairs and Vice-Chairs, as set out on the schedule which was tabled at the meeting in the Mayors Letter.

2. Key Issues

2.1 Members are reminded that Section 16 of the Local Government and Housing Act 1989 states that where the Council has determined the allocation to different Groups of the seats to which the Act applies, it shall be the duty of the authority to give effect to a Group's wishes about who is to be appointed to the seats that they have been allocated.

2.2 Democratic Services have received notification that it has become necessary to make an amendment to appointment of Members to serve on the committees, boards, and panels, as listed below:

Improving Lives Select Commission:

Councillor Cowen is to be replaced by Councillor Andrews

Planning Board:

Councillor Aveyard is to be replaced by Councillor Lelliott

Licensing Board, Licensing Committee including sub-committees:

Councillor Cowen is to be replaced by Councillor Monk

2.3 The membership of the Health, Welfare and Safety Panel comprises six Elected Members of the Council to be appointed annually, including Member(s) from:

Cabinet Member with responsibility for Health, Welfare and Safety
Members from the Overview and Scrutiny Management Board and the Select Commissions (scrutiny)

Members from the Member & Democratic Panel

Accordingly, the following Members have been appointed:

- Councillor Saghir Alam – Cabinet Member for Corporate Services, Community Safety and Finance
- Councillor Rose McNeely – Improving Places Select Commission
- Councillor Lyndsay Pitchley – Improving Lives Select Commission
- Councillor Joanna Baker-Rogers – Overview and Scrutiny Management Board
- TBC – Member and Democratic Panel (This will be discussed at the meeting being held on 14 July 2021 and will be reported separately)

2.4 The following maternity leave arrangements have been put in place. Councillor Browne will deputise for Councillor Hoddinott on the Audit Committee as Vice

Chair and as a member of the Overview and Scrutiny Management Board. This arrangement will commence from 12 July 2021 for an initial 3-month period. This arrangement will be extended further if required.

3. Options considered and recommended proposal

- 3.1 No alternative options were considered.
- 3.2 It is recommended that the appointments to the committees, boards and panels be amended and notes as discussed in sections 2.2 and 2.3 of this report.

4. Consultation on proposal

- 4.1 Consultation has taken place within the political groups themselves and with the members concerned.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The amendments to the appointment of Members to the committees, boards and panels listed in section 2.2 of this report will take affect from 22 July 2021.
- 5.2 Staff from within the Governance Unit will make contact with the members being appointed to those committees, boards and panels to discuss their appointment and arrange any required committee specific training prior to the next schedule meeting.

6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

- 6.1 There are no financial and procurement implications directly arising from this report.

7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)

- 7.1 The composition and allocation of membership of the above bodies has been based on the relevant legislative requirements in accordance with the Council's Constitution.

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 CO₂ Emissions and Climate Change

11.1 There are no implications for CO₂ Emissions and Climate Change arising from this report.

12. Implications for Partners

12.1 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.

13. Risks and Mitigation

13.1 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.

14. Accountable Officer(s)

Barbel Gale, Governance Manager
Craig Tyler, Head of Democratic Services

Barbel Gale, Governance Manager
01709 807665 or barbel.gale@rotherham.gov.uk

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

STANDARDS AND ETHICS COMMITTEE
17th June, 2021

Present:- Councillor McNeely (in the Chair); Councillors Bacon, Castledine-Dack, Collingham, Cooksey, Griffin, Hughes, Sylvester, along with Mr. D. Bates and Mr. R. Swann (Parish Council Representatives) and also Mrs. A. Bingham, Mr. P. Edler, Mrs. M. Evers and Mrs. K. Penney (Independent Members).

Also in attendance at the invitation of the Chair was Mr. P. Beavers, Independent Person.

Apologies for absence were received from Parish Councillor Mr. D. Rowley and Mr. D. Roper-Newman, Independent Person.

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. EXCLUSION OF 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 Minute No. 115 (Consideration of Complaints) and 116 (Whistleblowing Concerns) as the reports had confidential appendices on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

3. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the previous meeting held on Thursday, 21st January, 2021 be approved as a true and correct record of the proceedings.

4. UPDATE AS TO RECEIPT OF REGISTER OF INTEREST FORMS

Consideration was given to an update by the Deputy Monitoring Officer relating to the satisfactory completion of the Register of Interest Forms by Elected Members following the election. A number of discrepancies were highlighted which were being referred to the relevant Members and for these to be rectified before being published on the Council's website.

The Chair, on behalf of the Committee, would like Members to be reminded on a monthly basis of the need to maintain their Register of Interest and ensure that it was completed correctly and kept up-to-date.

Resolved:- (1) That the update be received and the detail noted.

(2) That steps be taken to remind Elected Members on a monthly basis to maintain their Register of Interest and ensure it was kept up-to-date.

5. 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:- That the report be received and the contents noted.

6. MATTERS OF CONCERN 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.

It was also suggested that in order for the Committee to be satisfied investigations had not stalled, that dates of action taken be included.

Resolved:- That the Whistleblowing concerns raised over the previous year and the actions taken to address these matters be noted.

7. URGENT BUSINESS

The Chair advised that there were no urgent items of business requiring the Committee's consideration.

8. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Standards and Ethics Committee be held on Thursday, 16th September, 2021, at Rotherham Town Hall commencing at 2.00 p.m.

AUDIT COMMITTEE
22nd June, 2021

Present:- Councillor Baker-Rogers (in the Chair); Councillors Barley, Hoddinott, Wilson and Wyatt together with John Barber (Independent Person).

Apologies for absence were received from Gareth Mills and Thilina De Zoysa (Grant Thornton).

1. COUNCILLOR WYATT

The Chair thanked Councillor Wyatt for his excellent Chairmanship of the Audit Committee during the past 6 years.

2. MINUTES OF THE PREVIOUS MEETING HELD ON 23RD MARCH, 2021

The minutes of the previous meeting held on 23rd March, 2021, were noted.

3. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

4. QUESTIONS FROM MEMBERS OF THE PUBLIC OR THE PRESS

There were no members of the public or press present at the meeting.

5. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that Appendix C to Item No. 6, Internal Audit Progress Report 1st March-31st May, 2021, was exempt by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. However the Appendix was not discussed during the meeting and as such, the meeting remained open to the press and public up to Item No. 12 when the meeting went into private session.

6. EXTERNAL AUDIT PROGRESS REPORT

The Committee noted the apologies of the external auditors due to pressure of other work commitments.

Consideration was given to the report submitted but noting that any questions would have to be raised at the next meeting when representatives of Grant Thornton would be in attendance.

The progress report, as at 4th June, 2021, indicated the provisional dates for the 2020-21 deliverables. However, as reported to previous Audit Committee meetings, attention was drawn to the challenging nature of the

availability of specialist public sector external audit staff and the volume of local authority audits which continued after last year's target date of 30th November, 2020, completion. This, coupled with the impact of Covid remote working and the need to prioritise their Housing Benefit delivery in the early part of 2021 and then the NHS clients given their earlier audit deadline of June 2021, meant that Grant Thornton was behind in its local authority planning and interim work compared to their normal timings and profile of delivery.

The MHCLG had set an indicative date of 30th September, 2021, for audited local authority accounts, 2 months earlier than 2020, which, given the context above, Grant Thornton believed was highly unrealistic for 2020-21 audits.

It was also noted that the Council's Finance Team would be under considerable pressure at that time dealing with the production of annual accounts alongside other commitments including budget setting and the Medium Term Financial Strategy.

Grant Thornton was proposing to target completion of their audit fieldwork in October before dealing with completion tasks and targeting signing off of the accounts in November.

This was further complicated by the new Code of Practice which required an external auditors' report to be more detailed particularly on Value for Money, making judgements on a council's performance and to make a series of recommendations around weaknesses/perceived weaknesses. It was difficult at the present time to assess what impact this may have upon the Council's resources.

The new Accounting Standards also placed increased pressure on external auditors which then placed extra pressure on local authorities to produce extra working papers for an increased intensive audit process.

The Council was on track to provide a draft set of accounts in July

Resolved:- That the report be re-submitted to the July meeting of the Audit Committee.

7. 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 2nd March, 2021.

Following on from a desktop inspection conducted by the Investigatory Powers Commissioners Office, training was to be rolled out to the individual Directorates with a view to providing an explanation of the RIPA legislation in order to reduce any potential risk arising from any unauthorised activity. The training had been delayed due to resources having had to be re-directed to deal with the Covid-19 pandemic.

The Council's Policies were considered by the Committee on 18th August, 2020, and re-adopted with minor amendments. The RIPA Policy had been reviewed and found that there were no major changes required.

Discussion ensued with the following issues raised/clarified:-

- That the recommendation arising from the Investigatory Powers Commissioners Office regarding training be included on the external inspections, reviews and audits report
- There had been no requests received for the use of RIPA
- Officers who were authorised to submit applications would have had training in the past but it would be ensured that the training was refreshed
- Every case for RIPA activity was passed to Legal Services who would then submit it to the Magistrates Court. All the Council's legal officers knew what to look for in an application and would pick up on any unauthorised activity
- In general no-one in South Yorkshire had used the powers. The reasons for using RIPA had changed a few years ago making it more difficult rather than easier to get RIPA authorisation. A Magistrate would have to decide whether it was proportionate or not for the protection and detection of crime and that could be the reason why there was less use of the powers
- It had to be quite serious circumstances before a Magistrate would consider granting an application. The work the Council did jointly with the Police could fall within this category but for which the Police would be responsible for obtaining the RIPA authorisation

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 18th August, 2020.

(2) That it be noted that there were no changes to the RIPA Policy and that the current Policy be approved.

8. INTERNAL AUDIT PROGRESS REPORT 1ST MARCH-31ST MAY 2021

Consideration was given to a report presented by David Webster, Head of Internal Audit, which provided a summary of Internal Audit work completed during 1st March to 31st May, 2021, and the key issues that had arisen therefrom. The current position of the plan was outlined in Appendix A to the report.

Eleven audits had been finalised since the last Committee meeting of which 5 had received Reasonable Assurance, 5 Substantial Assurance and one Partial Assurance as set out in Appendix B to the report.

Internal Audit also carried out unplanned responsive work and investigations into any allegations of fraud, corruption or other irregularity. There was one report of this type issued since the last meeting (Appendix C).

Internal Audit's performance against a number of indicators was summarised in Appendix D. Target performance was almost achieved in March due to sickness, however, all indicators had been achieved in April/May.

Appendix E showed the number of outstanding recommendations that had passed their original due date, age rated. The number of outstanding actions had decreased to 7 of which 4 had not yet received their agreed due dates and 3 were deferred because of the election in May.

The Chief Executive and Strategic Leadership Team had been very supportive in reducing the number of outstanding recommendations over the past 6 months and that support was continuing. The Head of Internal Audit reported to the Strategic Leadership Team every month on the current numbers.

Discussion ensued with the following issues raised/clarified:-

- An estimated number of investigative days was included in the Plan every year. However, there were contingency days that could be used as necessary throughout the year
- Investigations did take priority and if, towards the end of the year, the number of days set aside were near to expiry, some of the lower priority work would be set to one side to allow the investigations to be fully investigated as necessary
- The Plan did include red or amber risks and were spread throughout the year taking into account resources and the impact on the Departments concerned
- Stretched targets in terms of performance indicators had not been considered in the past

Resolved:- (1) That the Internal Audit work undertaken between 1st March and 31st May, 2021, and the key issues arising 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.

9. AUDIT COMMITTEE FORWARD PLAN

Consideration was given to the proposed forward work plan for the Audit Committee covering the period July, 2021 to March, 2022.

Resolved:- (1) That the Audit Committee forward plan, now submitted, be supported with the comments above taken into account.

(2) That an update from the external auditors, Grant Thornton, be a standing agenda item.

10. ITEMS FOR REFERRAL FOR SCRUTINY

There were no items for referral to Scrutiny.

11. 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).

12. CHILDREN AND YOUNG PEOPLE'S SERVICES RISK REGISTER

Suzy Joyner, Strategic Director, Children and Young People's Services, presented a report providing details of the Risk Register and risk management activity within the Children and Young People's Services Directorate.

She was joined in her presentation by Dean Fenton, Risk Management Champion, and Councillor Cusworth, Cabinet Member for Children and Young People.

The Committee sought reassurance on the Risk Register and risk management activity in particular highlighting how the Register was maintained/monitored and at what frequency as well as how risks were included on and removed from the Register.

Discussion ensued with the following issues raised clarified:-

- The Risk Register had been subjected to a full review during April this year incorporating feedback from the Corporate Risk Manager
- The Register was considered by the Directorate Leadership Team on a quarterly basis as well as the wider Directorate Team to ensure full understanding of the risks and asset management
- The 4 identified areas of risk were monitored by specific Service Directors with the ability for any to escalate any Service risk into the Directorate Risk Register
- Assistant Directors would be attending risk management training. 5 officers had successfully completed the 2 days accredited risk management course
- The Risk Register aligned with Service Plans
- Regular assurance clinics and performance clinics were held
- Strategic Risk Champions Forum established by the Directorate's Risk Champion
- Detailed Performance Management Framework and a large number of national indicators around children's services as well as links into Ofsted
- The Ofsted re-inspection of Children Services and the Ofsted focus visit in October 2020 had provided assurance
- Education Recovery Cell put in place as a result of the pandemic which would continue to develop as issues emerged. The Education Strategic Partnership was aligned to the Recovery Cell
- Any issues raised through Operation Stovewood would be fed through to the Multi-Agency Safeguarding Hub. There was a very close working relationship between the 2. There was a robust approach to the "front door" for both historic and any new cases of CSE
- Work on the transformation programme and budget setting across the Directorate
- National issue of Social Worker recruitment

Resolved:- That the progress and current position in relation to risk management activity in the Children and Young People's Services Directorate, as detailed in the report now submitted, be noted.

13. RISK MANAGEMENT ANNUAL SUMMARY 2020-2021

Simon Dennis, Corporate Improvement and 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 also provided an up-to-date on the impact of the Covid-19 pandemic on risk management activity.

The report set out:-

- Risk Management Responsibilities
- Training Summary
- Risk Management Process
- Risk Profile 2020/21
- Future Developments.

The total number of strategic risks included on the Risk Register had increased by one from 12 to 13 over the period January, 2020 to April, 2021. Two risks had been removed from the Corporate Strategic Register with 3 being added. Of the risks that remained, 2 had a decreasing risk score and 8 had been constant. Apart from the 2 new risks that remained on the Register as at April, 2021, one risk had increased in risk level from January 2020 to January 2021.

Discussion ensued on the report with the following issues raised/clarified:-

- Accreditation and content of the proposed training
- Reasoning for the addition of risks
- Lessons learnt from the Covid-19 pandemic
- Discussion at the Strategic Leadership Team of the Risk Register and progress (or not) of risks

Resolved:- That the annual summary of Risk Management activity be noted.

14. URGENT BUSINESS

There was no urgent business to report.

15. DATE AND TIME OF NEXT MEETING

Resolved:- That a further meeting be held on Thursday, 29th July, 2021, commencing at 2.00 p.m. in Rotherham Town Hall.

HEALTH AND WELLBEING BOARD
26th May, 2021

Present:-

Councillor D. Roche	Cabinet Member, Adult Social Care and Health
Ben Anderson	Director of Public Health
Nathan Atkinson	Assistant Director, Commissioning (representing Anne Marie Lubanski)
Steve Chapman	Temporary Chief Superintendent/District Commander, South Yorkshire Police
Councillor V. Cusworth	Cabinet Member, Children and Young People
Chris Edwards	Chief Operating Officer, Rotherham CCG
Sharon Kemp	Chief Executive, RMBC
Shafiq Hussain	Chief Executive, Voluntary Action Rotherham
Kathryn Singh	Chief Executive, RDaSH
Michael Wright	Deputy Chief Executive, Rotherham Foundation Trust (representing Richard Jenkins)

Report Presenters:-

Gilly Brenner	Public Health
Jessica Dunphy	Public Health
Phil Hayes	RotherFed
Julie Hodgkinson	Live Inclusive
Hayley Rundle	B:Friend

Also Present:-

Lesley Cooper	Healthwatch Rotherham
Gavin Jones	South Yorkshire Fire and Rescue Service
Becky Woolley	Policy Officer, RMBC
Dawn Mitchell	Governance Advisor, RMBC

Apologies for absence were received from Dr. Richard Cullen (Rotherham CCG), Richard Jenkins (TRFT), Suzanne Joyner (RMBC), Anne Marie Lubanski (RMBC), Dr. Jason Page (Rotherham CCG) and Paul Woodcock (RMBC).

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from the member of the press present at the meeting.

3. COMMUNICATIONS

Suspension of the requirement to produce Pharmaceutical Needs Assessments by April 2022

Following a national postponement last year in response to COVID pandemic, Pharmaceutical Needs Assessments were due to be renewed and published by Local Authority Health and Wellbeing Boards in April

2022. Normal practice in Rotherham was to start to prepare approximately a year prior to publication, to ensure thorough engagement and consultation periods.

However, due to ongoing pressures across all sectors in response to the COVID-19 pandemic, the national requirement to publish renewed Pharmaceutical Needs Assessments had now been suspended further until October 2022. Local Authority Health and Wellbeing Boards would retain the ability to issue supplementary statements to respond to local changes and pharmaceutical needs during this time. Updated national Pharmaceutical Needs Assessments guidance was planned to be published in the summer. The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 would be updated to reflect this change in due course. The intention in Rotherham was to await the new guidance and then begin preparations for the PNA review and consultations in the autumn.

Board Membership

The membership of the Board included 3 Elected Members one of whom was the Deputy Leader, however, due to the review of Cabinet Member portfolios that was no longer possible. Discussions were to take place with the Leader and senior officers as to a third Member. Once known, details would be circulated to the Executive.

4. 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 10th March, 2021, be approved as a correct record.

5. JOINT STRATEGIC NEEDS ASSESSMENT

Gilly Brenner, Public Health Consultant, and Jessica Dunphy, Public Health Consultant, gave the following powerpoint presentation on the Joint Strategic Needs Assessment:-

What is the JSNA

- “An assessment of current and future health and social care needs of the local community”
- This includes specific health and social care behaviours e.g. smoking but also wider determinants of health such as housing and access to green spaces
- The information found from the JSNA can be used to inform strategy, policy and action by an organisation in the Borough
- All local authorities must produce a JSNA but there was no specific format meaning that they varied between areas
- Rotherham’s version of the JSNA was the Rotherham Data Hub: <http://www.rotherham.gov.uk/data/>

What does the Rotherham JSNA contain

- People
- Socio-economic
- Environment
- Community and neighbourhoods
- Health behaviours

Structure of Theme Sections

- Initial introductory page introducing the topic, its overall relevance to good health and key points for Rotherham
- Covid lens – a page discussing the current impact of Covid on this topic and some potential impacts for the future
- Data for Rotherham – local authority level data or, where available, Ward level or lower super output area (LSOA) level data
- Useful links – links to further reading
- List of data sources

Impact of Covid

- The long term impacts of Covid were yet to be fully determined but they were likely to be worse in more deprived areas and to worsen any pre-existing inequalities in all areas
- Deprivation in Rotherham was high compared to England as a whole. A third of Rotherham residents lived within the top 20% most deprived areas in the country and overall deprivation increased between 2015 and 2019 according to the Index of Multiple Deprivation (IMD)

Risk Factors affecting DALYs (Disability Adjusted Life Years)

- Smoking
- High blood glucose
- Diet
- High BMI
- High blood pressure
- High cholesterol
- Alcohol use
- Occupational risk
- Cold homes
- Air quality

Headline Data Examples

- 75.6% of adults classified as overweight or obese
- 0.5% of workers cycle to work
- 25% of 16-64 year olds not economically active
- 14% of residents utilise outdoor space for health or exercise purposes
- Gismo search for 'weight' – RUCST weight loss programme

Links to the JSNA

- [Homepage – Rotherham Data Hub](#)
- [Socio-Economic – Rotherham Data Hub](#)
- [Environment – Rotherham Data Hub](#)
- [Community and Neighbourhoods – Rotherham Data Hub](#)
- [Health Behaviours – Rotherham Data Hub](#)
- [People – Rotherham Data Hub](#)

Future Actions

- Greater focus on prevention and inequalities
- Greater input across place – CCG, Healthwatch Rotherham and VAR all contributed data this year
- TRFT and RDASH keen to contribute some data during this calendar year e.g. smoking, IAPT (Improving Access to Psychological Therapies)
- As part of input across place, greater inclusion of information about long term conditions such as cancer and cardiovascular disease
- Links to work around Population Health Management
- Incorporating an interactive ‘Ward profile’ element within the JSNA, collating all data at Ward level into one place rather than having to go through each section individually
- Acknowledging delays to data available at new Ward level
- Changes to Ward boundaries this year may reduce the degree of comparable data available for the next few years
- Incorporating a ‘lifecourse’ element where data relevant to each life stage (child, young adult, adult, elderly) across all themes was brought together

Discussion ensued with the following issues raised/clarified:-

- A JSNA should provide a good starting point for understanding the issues in Rotherham, but also provides links to further detail held
- It was person-centred with demographic information together with other influencers on health, from health behaviours to wider determinants and the interplay between these factors
- A summary of some key developing evidence or expected impacts of Covid. Some of the information was based on national surveys but it be some time before a full understanding was gained and ability to analyse the wide range of impacts of the pandemic
- The data page compared Rotherham to its nearest statistical neighbour and the England average as well as showing trends over time
- Some pages would have the old Ward data; the new Ward data was available under the Ward profiles
- The map was an initial look at the impact of Covid. It was already expected that areas with higher deprivation were likely to be impacted worse by the pandemic, due to higher rates of infection, loss of income, missed in-school education etc.

- For a significant proportion of residents, the pandemic was likely to have had a negative impact that would exacerbate inequalities
- DALYs = Disability Adjusted Life Years = The sum of years of potential life lost due to premature mortality and the years of productive life lost due to disability. The top 10 risk factors were those that contributed most to ill health and reducing quality of life. This inclusion was welcomed as the agenda was moved to prevention and early intervention
- Whilst many of them were considered as health behaviours, it was known that they were highly influenced by the conditions in which people grow, play, learn and live
- It was hoped to incorporate a more interactive version of Ward profiles to enable Members and others to better understand the issues specifically relevant to their local area, acknowledging the challenges that the new Ward boundaries brought to the availability of data and trends
- It was also the aim to make it easier to see the data specifically relevant to different stages of the life-course
- Importance of feeding the JSNA into Directorates
- DALYs could be used to inform the Rotherham Place Plan
- The importance of an understanding of the impact of Covid on socio-economic in terms of the response and recovery plan

It was noted that a seminar was to take place in the summer on the JSNA.

Gilly and Jess were thanked for their presentation.

Resolved:- That the Joint Strategic Needs Assessments and future actions be noted.

6. UPDATE FROM THE LOCAL OUTBREAK ENGAGEMENT BOARD

Sharon Kemp, Chief Executive RMBC, gave the following verbal update on behalf of the Local Engagement Board:-

- Since the last meeting of the Board, there had been further relaxing of the lockdown in accordance with the Government's roadmap
- Rotherham's rates as of 24th May for all ranges had been 24.5 per 100,000 population which was a much better position. In the over 60's it was 5.9 per 100,000. This was near to the England average (approximately 60th local authority). This was due to the hard work of many and the responsible behaviour of Rotherham's citizens
- There had been a reduction in the number of hospital admissions which was currently in single figures. This had been a stable position for the past few weeks
- A watchful eye was being kept on those areas where the Indian variant was present as to the impact on hospitals. Regional work with colleagues would continue to ensure Rotherham was in the best position should there be a change in the infection rate

- There was still good take-up of testing with the centres still available at Maltby, Midland Road and Dinnington. The need for supervised testing was being reviewed at the moment given that Riverside House was offering that facility. Increasing numbers of the public were taking up the offer of home testing and the collect service that was available through either the PCR site or customer services and libraries
- Local contact tracing work continued and had seen a completion rate of above 90% and much higher on most days
- There had been a positive uptake of the vaccines across the Borough. The decision to use the Primary Care network had made a number of local venues and GP surgeries available thereby making it much easier for members of the public to get access to the vaccine. There would be continued encouragement for everyone to take up the opportunity of a vaccine when offered
- There were no significant pockets of areas where vaccine take-up was low but it was constantly reviewed

Chris Edwards, CCG, reported that the model used in Rotherham for the roll out of the vaccine had been a real success with 24% of the population left to vaccinate. Rotherham was ahead of the 3 other authorities in South Yorkshire and other parts of England. The vaccine supply was probably the limiting factor but the deadline would be met.

Resolved:- That the update be noted.

7. **TIMELINE - IMPLEMENTATION OF THE HEALTH AND SOCIAL CARE WHITE PAPER**

Chris Edwards, CCG gave a verbal update on the implementation of the Health and Social Care White Paper.

On 11th February, 2021, the Department of Health and Social Care had published its White Paper Integration and Innovation: working together to improve health and social care for all. The proposals followed the journey of integrating care, a journey that South Yorkshire and Bassetlaw had been on since 2016, and put it on a statutory footing involving the 5 Clinical Commissioning Groups in South Yorkshire and Bassetlaw transforming into a national Integrated Care System.

It was proposed that it would become statutory from 1st April, 2022.

It was not envisaged that a big difference would be seen in Rotherham and maintain the existing strong working partnership and benefit from the effects of working in a wider footprint across South Yorkshire and Bassetlaw.

Resolved:- That the update be noted.

8.

HEALTH AND WELLBEING BOARD ANNUAL REPORT

The Chair and Ben Anderson, Director of Public Health, presented the 2020/21 Annual Report “A Healthier Rotherham by 2025” with the aim of the following powerpoint presentation:-

Due to the COVID-19 pandemic, the Board had continued to meet virtually, and as the report showed, it had achieved much over the past year such as its work on loneliness, encouraging better physical health and activities, supporting young people’s mental health, setting up an unpaid carers group that was supporting the refresh of the Carers Strategy and placing an increasing emphasis on the wider determinants of health.

There was still a lot more work to be done on tackling health inequalities, including inequalities between Rotherham’s least and most deprived communities. The Board had committed that this would be its main area of focus, to ensure that the health of the most vulnerable was improving the fastest. In the coming year, The Board would need to refresh its priorities, taking into account the impact of the pandemic, as well as the changes that would be brought in through the Health and Care Bill.

As well as partners working closely together on the response to the COVID-19 pandemic, there has also been significant progress made over the past year to support delivery of the Health and Wellbeing Strategy:-

- Engaging with the Local Maternity System on the Maternity Transformation Plan
- Implementation of the Mental Health Trailblazer in schools ‘With Me in Mind’
- Delivery of the Suicide Prevention and Self-Harm Reduction Action Plan, including promoting information around debt advice and signposting to Rotherhive website, sharing information for people at risk of relationship breakdown, helping carers and following up missed appointments
- Pooling knowledge, expertise and resources across the partnership with regards to the mental health and wellbeing of our workforce
- Launching the Moving Rotherham campaign to encourage local people to be more physically active
- Establishing an unpaid carers group to ensure carers had the support they needed throughout the pandemic. This group has also been closely involved in the co-production of the Carers Strategy

- Tackling loneliness and social isolation during COVID-19, including reaching out to at-risk groups, raising awareness via social media and redeveloping the MECC training
- An estimated 400,000 people engaged in the Rotherham Together programme, which was developed to respond and support recovery from COVID-19. The programme focussed on 3 key themes: Joy, Gratitude and Hope and provided innovative and COVID-secure ways to foster connectedness
- Working with the other Boards across the Rotherham Together Partnership to deliver the safeguarding protocol, including coming together to discuss mental health as a cross-cutting issue
- Maintaining a link between the Health and Wellbeing Board and the Local Outbreak Engagement Board

What are we worried about?

- There were large gaps in life expectancy and healthy life expectancy both within the Borough and compared with the national average. Moreover, the coronavirus pandemic had exacerbated existing health inequalities, with the most disadvantaged communities being hit the hardest
- The leading causes of death in Rotherham included ischaemic heart disease (IHD), stroke, lung cancer, COPD and Alzheimer's / dementia
- Mental Health and wellbeing

What will the Board do next:-

- The current priorities and action plan ran until June, 2021. The next step would be to engage with Board members to update the Board's priorities and the action plan which underpinned the Strategy
- Embed a prevention-led systems approach across the Place
- Work with the South Yorkshire and Bassetlaw ICS to shape the future arrangements
- Continue to monitor the longer-term impacts of the pandemic on our communities
- Focus on reducing health inequalities between our most and least deprived communities.

The Challenges

- Health inequalities between our most and least deprived communities and between Rotherham and the national average
- Mental health and wellbeing remained a concern
- The leading causes of death in Rotherham were associated with preventable risk factors
- The pandemic would continue to impact on local people's lives in the long term

Forward Look

- Implementation of the Health and Social Care White Paper – implications for our system and our partnership
- Supporting our communities through Covid recovery
- Board members' feedback in the annual review survey:
 - Further prioritisation – not trying to do everything
 - Doing more to communicate with Rotherham people about our work
 - Involving partners engaged with the wider determinants
 - Increasing our focus on health inequalities

Discussion ensued with the following issues raised:-

- The 4 aims worked well but what sat under them needed to be reviewed in light of the Covid response-recovery and strengthen prevention of health inequalities
- Tobacco needed to be included
- Economic impact of Covid particularly as furlough came to an end in September as well as the impact on mental health
- The 4 Strategy Aim leads would be requested to discuss with the project leads how the action plan may be changed/the Strategy developed
- Older people had really suffered during the pandemic and an increase in referrals for dementia expected to be seen
- Establish whether the appropriate services were commissioned and how the priorities fitted under the aims
- TRFT's focus would be to not widen the health inequality gap and work with Public Health
- Access to Primary Care was becoming an issue and striking a balance between face-to-face appointments with a GP and non face-to-face
- Mental Health Services would need to find a different way of thinking about their services and understanding the impact of long Covid
- Voluntary Action Rotherham had a big role to play in prevention and early intervention and the need to understand where resources went/what worked well and what did not

HEALTH AND WELLBEING BOARD - 26/05/21

- The need to embed into the Strategy the work currently being undertaken on social value and getting the best value for the residents of Rotherham

Resolved:- (1) That the report be noted.

(2) That the current Strategy be circulated to all Board members and that Aim sponsors review the appropriateness of their Aims.

ACTION:- Becky Woolley

9. **HEALTH AND WELLBEING BOARD PRIORITIES AND ACTION PLAN**

Becky Woolley, Policy Officer, presented the latest update on the Health and Wellbeing Board's priorities and action plan and gave a brief verbal update on the progress made.

It was noted that the final application bid was to be submitted to the Shaping Places Fund around Green Spaces and the use of Green Spaces for physical activity in Rotherham (Aim 3).

Resolved:- That the report be noted.

10. **HEALTH AND WELLBEING BOARD TERMS OF REFERENCE**

Becky Woolley, Policy and Partnership Officer, submitted the updated Board's Terms of Reference for information.

Resolved:- That the updated Terms of Reference for the Health and Wellbeing Board be approved.

11. **LONELINESS AND BEFRIENDING**

The Chair welcomed Phil Hayes (RotherFed), Hayley Rundle (B:Friend) and Julie Hodgkinson (Live Inclusive), who gave a verbal presentation on the work that had been taking place on loneliness and befriending during the Covid pandemic.

RotherFed

- The initiative had started in a response to the pandemic in March 2020 involving some of the key VCF partners
- The Community Hub and Rotherham Heroes had been formed but very early on it had become quite clear that it was not only the practical issues of food and medicine but loneliness, isolation and disconnection were big issues too
- Resources had been deployed to make contact and had also combined forces with other providers including B:Friend, Live Inclusive, Rema, Rotherham Parents and Carers Forum, CAB, so as not to duplicate services. It became a formal network and met on a monthly basis

- Many of the calls were around welfare as much as financial issues and the clients received support much more quickly than they would have
- The next stage was to try to get people integrated into their community and how to do that
- It was not just older people but also young parents who had no-one else to talk to apart from their children
- Some of the volunteers were originally recipients of the service with their confidence having grown to such an extent as to enable them to offer support to others

Live Inclusive

- A small independent charity
- Normally worked with those referred via their GP as part of social prescribing, however, it had become quite apparent that their needs were quite different to what assessed as before the Government lockdown announcement e.g. they could not see their grandchildren etc.
- Loneliness was a massive issue
- Previously the focus had been on supporting clients in community groups; now it was to get them to go outside of their house
- Dedicated team of volunteers
- The community groups were not there presently for them to go to
- Close working in the VCS

B:Friend

- 2 case studies provided to illustrate the work of the project
- The project paired up local people from the community with old people who needed extra company for as long as they wanted it to be
- Live Inclusive would refer clients in who needed longer term support
- Approximately 600 pairings in the last year 78 of which were in Rotherham

Shafiq Hussain, VAR, reported that it was Volunteer Week shortly and there was a series of events planned with a spotlight on volunteers and the impact/benefit of them.

It was also important, as part of the collective recovery plan, to help the community groups start up again and identify where the gaps were.

It was noted that the Neighbourhoods Team had produced guidance on the opening of community buildings which was in the process of being circulated more widely.

Phil, Julie and Hayley were thanked for their presentation.

Resolved:- That an all Member seminar on Loneliness and Befriending be held in September, 2021.

12. SOUTH YORKSHIRE AND BASSETLAW INTEGRATED CARE SYSTEM: HEALTH AND CARE COMPACT

The Board received for information the terms of reference for the Health and Care Compact Partnership.

13. DATE AND TIME OF MEETINGS 2021/22

Resolved:- That a further meeting be held on Wednesday, 21st July, 2021, commencing at 9.00 a.m. venue to be confirmed.

PLANNING BOARD
10th June, 2021

Present:- Councillor Atkin (in the Chair); Councillors Bird, Castledine-Dack, Cowen, R. Elliott (Observer), Fisher, Keenan, McNeely, Sansome, Tinsley and Wilson.

Apologies for absence were received from Councillors Havard, Khan, Miro and Wooding.

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

1. EXCLUSION OF THE PRESS AND PUBLIC

There were no items on the agenda to warrant exclusion of the press and public.

2. MATTERS OF URGENCY

There were no matters of urgency for consideration.

3. DECLARATIONS OF INTEREST

Councillor Castledine-Dack declared a disclosable pecuniary interest in application RB2021/0048 (erection of 197 No. dwellinghouses and associated works at land off Chapel Way/Lambrell Avenue, Kiveton Park for Strata Homes) on the grounds that her employer, Alexander Stafford M.P., had submitted a objection and had requested his written statement be read out at the meeting.

Councillor Castledine-Dack left the room during consideration of this application.

4. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 29th April, 2021, be approved as a correct record of the meeting.

5. DEFERMENTS/SITE VISITS

There were no site visits recommended.

6. 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 attended the meeting and spoke about the applications below:-

- Demolition of existing Residential Rehabilitation Accommodation and erection of Qdos Careers Hub at land at Badsley Moor Lane Hospital Badsley Moor Lane Clifton for QCH Rotherham Ltd & NHS Property Services Ltd (RB2020/1518)

Mrs. R. Gilbert (Applicant)
Mrs. K. Kirkby (Objector)

- Erection of 197 No. dwellinghouses & associated works at land off Chapel Way/ Lambrell Avenue Kiveton Park for Strata Homes (RB2021/0048)

Ms. C. Lindley (on behalf of the Applicant)
Councillor D. Beck (Objector)

Statements were also read out on behalf of objectors who were unable to attend the meeting from:-

Alexander Stafford M.P.
Mrs. M. Oldroyd
Ms. K. Almond

- Change of Use to drinking establishment (Use Class Sui Generis) with decking area to front for seating pods at 129 Bawtry Road Wickersley for The Garrison (RB2021/0097)

Mrs. M. Godfrey (Objector)
Mr. P. Thirlwall (Objector)
Councillor E. Hoddinott (Objector)

A statement was ready out on behalf of Mr. E. Vaughan (Applicant).

(2) That application RB2020/1518 be granted for the reasons adopted by Members at the meeting, subject to the relevant conditions listed in the submitted report and subject to amendment to Conditions 2 (to include the Proposed Planting Plan) and a revision to Condition 24 to now read:-

02

The permission hereby granted shall relate to the area shown outlined in red on the approved site plan and the development shall only take place in accordance with the submitted details and specifications and as shown on the approved plans (as set out below)

- Location Plan 1083_QCH100
- Proposed Site Plan 1083_QCH103 Rev
- Demolition Plan 1083_QCH102
- Way Finding 1083_QCH106 Rev A
- Proposed Ground Floor Plan 1083_QCH200
- Proposed First Floor Plan 1083_QCH201
- Proposed Roof Plan 1083_QCH202 Rev A
- Proposed Elevations 1083_QCH210
- Proposed Elevations 1083_QCH211
- Proposed Elevations 1083_QCH212 Rev B
- Proposed Sections 1083_QCH220
- Landscape Masterplan 3351 101 Rev A
- Preliminary Finished Levels AMA/20780/DR/103 Rev A
- Proposed Planting Plan – 3551 201 Rev A

24

Landscaping of the site as shown on the approved plan (drawing no. Planting Plan 3551-201 Rev A) shall be carried out during the first available planting season after commencement of the development. Any plants or trees which within a period of 5 years from completion of planting die, are removed or damaged, or that fail to thrive shall be replaced within the next planting season. Assessment of requirements for replacement planting shall be carried out on an annual basis in September of each year and any defective work or materials discovered shall be rectified before 31st December of that year.

(3) That the Planning Board declare that it was not favourably disposed towards application RB2021/0048 and that it be refused for the following reasons:-

01

The Local Planning Authority consider that the applicant has failed to demonstrate that the proposed development would not have an adverse impact on the local highway network to the detriment of existing highway users and the local community. The contents of the Transport Assessment is not considered robust enough to demonstrate that the local network can accommodate the vehicular movements created from this development. The development therefore does not comply with the National Planning Policy Framework in that the proposal has not demonstrated that it does not have a residual cumulative impact on the road network.

02

The Local Planning Authority consider that the applicant has failed to demonstrate that the proposed development would not have an adverse impact on the biodiversity of the site and the immediate surrounding area such that the scheme could have a negative impact on local wildlife

habitats. The proposal would therefore be in conflict with policies CS20 'Biodiversity and Geodiversity'; SP33 'Conserving the Natural Environment' and SP35 'Protected and Priority Species' of Rotherham's adopted Local Plan and paragraph 170 of the National Planning Policy Framework.

(4) That application RB2021/0097 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

7. UPDATES

The following update information was provided:-

- (a) Further to Minute No. 181(3) of the meeting of the Planning Board held on 29th April, 2021, following consultation between the application and the objector in relation to application RB2020/1591 (Demolition of unlisted buildings and erection of 170 no. dwellinghouses and conversion of 4 no. existing buildings to create 27 No. dwellinghouses with associated landscaping and works at former Swinden Technology Centre Moorgate Road Moorgate for Keepmoat Homes) the trees bordering the boundary were to remain in situ and the designated bin store had been moved to another location.
- (b) An email had been circulated from the Planning Advisory Service with regards to a free training event on the 16th June, 2021 between 5.00 p.m. and 7.00 p.m.

Members were advised if they signed up to alerts from the Planning Advisory Service they would be advised of any further training events in the future.

- (c) Between the last meeting and this meeting Ian Ferguson, Transportation Adviser to the Planning Board, had retired.

The Board wished him a long and happy retirement.

Resolved:- That the update information be noted.

8. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 1st July, 2021 at 9.00 a.m. at Rotherham Town Hall.

PLANNING BOARD
1st July, 2021

Present:- Councillor Atkin (in the Chair); Councillors Bird, Castledine-Dack, Cowen, R. Elliott, Fisher, Havard, Keenan, McNeely, Sansome and Tinsley.

Apologies for absence were received from Councillors Miro, Wilson and Wooding.

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

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

9. EXCLUSION OF THE PRESS AND PUBLIC

There were no items on the agenda to warrant exclusion of the press and public.

10. MATTERS OF URGENCY

There were no matters of urgency for consideration.

11. DECLARATIONS OF INTEREST

There were no Declarations of Interest to record.

12. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 10th June, 2021, be approved as a correct record of the meeting.

13. DEFERMENTS/SITE VISITS

There were no site visits recommended.

14. 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 attended the meeting and spoke about the applications below:-

- Erection of 76 No. dwellinghouses with associated access & landscaping at land West of Blue Mans Way Catcliffe for Strata Homes & Great Places Housing Group (RB2021/0037)

Mr. M. Rhodes (Applicant)
Ms. N. Martin (Objector)
Mr. N. Howarth (Objector)
Ms. E. Swanson (Objector)

- Felling of trees protected by TPO No. 3 2016 at land west of Blue Mans Way Catcliffe for Strata Homes Limited (RB2021/0598)

Ms. C. Lindley (on behalf of the Applicant)
Mr. N. Howarth (Objector)
Ms. E. Swanson (Objector)

- (2) That, with regards to application RB2021/0037:-

(a) subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 for the purposes of securing the following:-

- A commuted sum of £38,000 (£500 per dwelling) towards sustainable transport measures.
- Establishment of a Management Company to manage and maintain all communal landscaped open space areas and woodland as shown on the Proposed Layout Plan.
- £4,500 toward a Traffic Regulation Order relating to a 20 mph limit on the estate roads.

(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 and subject to amendments to Condition 19 and the inclusion of a further conditions; with the remaining conditions re-numbered accordingly to the end to now read:-

Land Contamination

19

Prior to commencement of development, an intrusive investigation and subsequent risk assessment must be undertaken by competent persons to determine the presence of the highwall, the current ground gassing regime and to determine that no significant soil or groundwater contamination is present beneath areas that were previously inaccessible and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Investigations to determine the location of the highwall must be undertaken in accordance with the letter prepared by Eastwoods & Partners Ltd entitled 'Preliminary Recommendations for Development over Opencast Highwall – Blue Mans Way, Catcliffe', dated March 2021, reference CAT/DN/45620-001

The above report must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and Contaminated Land Science Reports (SR2 – 4).

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

20

Subject to the findings of Condition 19, if required a Remediation Method Statement shall be provided and approved by the Local Planning Authority prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters, the site must not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21

In the event that during development works unexpected significant contamination is encountered, the Local Planning Authority shall be notified in writing immediately. Any requirements for remedial works shall be submitted to and approved in writing by the Local Planning Authority. Works thereafter shall be carried out in accordance with an approved Method Statement. This is to ensure the development will be suitable for use and that identified contamination will not present significant risks to human health or the environment.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

22

Subject to the findings of Condition 19 and prior to development commencing, in the event that gas protection measures are required for any new builds then details of the gas protection measures/membrane to

be installed, complete with drawings to show how the membrane will fit into the overall building design and how it will be validated following installation, shall be submitted to and approved by the Local Planning Authority. Installation of the gas protection measures are to be verified to confirm the ventilated sub-floor void and gas membrane meet the required standards. Inspection reports for each plot will be forwarded to the Local Authority for approval.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

23

Prior to development commencing suitable water supply pipes will need to be specified and approved in writing by the Local Planning Authority to ensure resistance from chemical attack from residual contaminants remaining in the ground.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

24

If subsoil/topsoil is required to be imported to site for remedial works, then these soils will need to be tested at a rate and frequency to be agreed with the Local Planning Authority to ensure they are free from contamination.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

25

Following completion of any remedial/ground preparation works a Validation Report shall be forwarded to the Local Planning Authority for review and comment. The validation report shall include details of the remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary documentation detailing

what waste materials have been removed from the site. The site shall not be brought into use until such time as all validation data has been approved by the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Noise

26

No dwelling shall be occupied unless it has been constructed in accordance with the façade design and mitigation measures set out in Section 4.2 of the ENS Noise Assessment Report (IA/9431/20/9478/v2) dated 21.12.20, and that a noise assessment has been carried out, in accordance with details to be submitted to and approved by the Local Planning Authority, demonstrating that the noise mitigation strategy described in the Noise Assessment has been successful and the parameters discussed in Section 4 of the report have been met.

Reason

In the interests of the future occupiers of the dwellings.

27

No dwelling shall be occupied unless the proposed development has been constructed in accordance with section 4.3 of the ENS Noise Assessment Report (IA/9431/20/9478/v2) dated 21.12.20 and the proposed fencing shown on the plan 18-CL4-SEGB-CA-03 BOUNDARY TREATMENT & MATERIALS PLAN REV A and that a noise assessment has been carried out, in accordance with details to be submitted to and approved by the Local Planning Authority, demonstrating that the noise mitigation strategy described in the Noise Assessment has been successful and the parameters discussed in Section 4 of the report have been met.

Reason

In the interests of the future occupiers of the dwellings.

Communication

28

Prior to first occupation of a dwelling on this site, information relating to the availability of infrastructure to enable the provision of gigabit capable full fibre broadband should be submitted and approved by the LPA. If the necessary infrastructure is available to enable provision, details of measures to facilitate the provision of gigabit-capable full fibre broadband for the development hereby approved, including a timescale for

PLANNING BOARD - 01/07/21

implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

In accordance with Local Plan Policy SP61 'Telecommunications' and Chapter 10 of the NPPF.

(3) That application RB2021/0598 be granted for the reasons adopted by Members at the meeting and subject to a condition relating to replacement planting listed in the submitted report.

15. UPDATES

There were no updates to report.

16. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 22nd July, 2021 at 9.00 a.m. at Rotherham Town Hall.

LICENSING SUB-COMMITTEE
9th June, 2021

Present:- Councillor Ellis (in the Chair); Councillors Bacon and Jones.

CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.34 OF THE LICENSING ACT 2003) FOR THE VARIATION OF A PREMISES LICENCE FOR STOP INN TIME, 17 BRINSWORTH LANE, BRINSWORTH, ROTHERHAM, S60 5BS

Consideration was given to an application for the variation of a Premises Licence in relation to Stop Inn Time, 17 Brinsworth Lane, Brinsworth, Rotherham S60 5BS.

The applicant was seeking a variation of the licence to amend the hours during which the retail sale of alcohol and provision of playing of recorded music could take place.

It was noted that the playing of recorded music would no longer be sought for outdoor purposes.

3 representations had been received from 4 local residents.

The premises currently had the benefit of a Premises Licence, copy attached at Appendix 2, which permitted the retail sale of alcohol (for consumption on the premises only) between the hours of:-

Monday to Thursday	1200 hours to 2230 hours
Friday and Saturday	1200 hours to 2300 hours
Sunday	1200 hours to 2100 hours

The applicants were seeking a variation to the licence as follows:-

For the retail sale of alcohol (for consumption on the premises only)

Monday to Thursday	1200 hours to 2300 hours
Friday and Saturday	1200 hours to 0000 hours
Sunday	1200 hours to 2230 hours

The playing of recorded music (indoors)

Monday to Thursday	1200 hours to 2230 hours
Friday and Saturday	1200 hours to 2230 hours
Sunday	1200 hours to 2200 hours

The applicant has specified that “the music is only background music therefore will not be played loudly”.

The Sub-Committee heard representations from:-

Mr. J.L. and Ms. C.B.
Ms. S.M.
Mr. T.M.

The objections centred around:-

- Noise nuisance
- Proximity of residential properties
- Anti-social behaviour and crime
- Fire safety
- Risks of harm to children

No comments/ objections had been received from any of the Responsible Authorities as identified in the Licensing Act 2003.

Mr. Edwards and Mrs. Oliver, applicants, addressed the concerns raised by the objectors.

The Sub-Committee considered the application for the variation of the premises licence and the representations made specifically in 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 variation to the Premises Licence, in accordance with the provisions of Section 34 of the Licensing Act 2003, in respect of the premises known as Stop Inn Time, 17 Brinsworth Lane, Brinsworth, Rotherham, be refused.

LICENSING SUB-COMMITTEE
15th June, 2021

Present:- Councillor Ellis (in the Chair); Councillors Jones and Mills.

CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.51 OF THE LICENSING ACT 2003) TO REVIEW THE PREMISES LICENCE IN PLACE AT THE WAVERLEY, BRINSWORTH ROAD, CATCLIFFE, ROTHERHAM, S60 5RW

Consideration was given to an application for the review of a Premises Licence in accordance with the provisions of Section 51 of the Licensing Act 2003, in respect of the premises known as The Waverley, Brinsworth Road, Catcliffe, Rotherham.

Mr. A. Nocton, Licensee/Designated Premises Supervisor, was in attendance together with Michelle Hazlewood, Legal Adviser.

The Licensing Authority received representations made by the Council's Licensing Service (acting in its role as a Responsible Authority under the Licensing Act 2003) submitted following the issuing of 2 Fixed Penalty Notices issued in response to a failure of the former licence holder to comply with nationally imposed requirements introduced to control the spread of Coronavirus /Covid-19 within the United Kingdom.

Following a prescribed period of 28 days following the submission of the review application a total of 8 additional representations/comments had been received.

As a result of discussion/negotiations with the License Holder and the application to transfer the license to the Designated Premises Supervisor, several of the objections were withdrawn, but the only remaining objection was from a Miss. L.G and it was confirmed that the positive representations in support of the premises also remained.

The Sub-Committee heard the representations from the new Licensee and their legal representative around how all the concerns raised as part of this review were taken on board and offered suggestions on how the 4 licensing objectives could be promoted.

The Licence Holder should also noted that an application for review may be triggered at any point in the future should there be further issues.

The Sub-Committee considered the application for the review of the premises licence and the representation made specifically in 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, after due consideration of the application for review and to the representations submitted, the premises licence for the premises known as The Waverley be modified and the following conditions be approved and added to the Premises Licence:-

1. The Licence Holder or Designated Premises Supervisor shall, daily from 23.00 hours, undertake hourly sound checks at the boundary of the premises so as to monitor sound levels and make appropriate adjustments so as to avoid public nuisance. Records should be kept of the sound checks/monitoring undertaken, retained at the premises and made available for inspection upon request by an Authorised Officer.
2. The Licence Holder or Designated Premises Supervisor shall, when the premises undertake outdoor events, undertake hourly sound checks at the boundary of the premises so as to monitor sound levels and make appropriate adjustments to the operation of the event so as to avoid public nuisance. Records should be kept of the sound checks/monitoring undertaken, retained at the premises and made available for inspection upon request by an Authorised Officer.
3. There shall be placed at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.
4. No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.

LICENSING BOARD SUB-COMMITTEE
28th June, 2021

Present:- Councillor Ellis (in the Chair); Councillors Hughes, McNeely, Sansome and Sylvester.

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

2. 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 items of business on the grounds that they involve 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).

3. GRANT OF A PRIVATE HIRE OPERATOR LICENCE

Consideration was given to a report, presented by the Licensing Manager, concerning an application for the grant of a private hire operator's licence in respect of Mr. H.dP. on behalf of DiDi Mobility UK Ltd.

Mr. H.dP. attended the meeting, together with Messrs. H.R. and A.U. and were interviewed by the Sub-Committee.

Resolved:- That the application for the grant of a private hire operator's licence in respect of Mr. H.dP. (DiDi Mobility UK Ltd.) be approved for one year.

4. APPLICATION FOR THE RENEWAL OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCE

The Sub-Committee, considered a report of the Licensing Manager relating to an application for the renewal of the hackney carriage/private hire driver licence in respect of Mr. K.C.

Mr. K.C.. was in attendance at the meeting.

Resolved:- That the renewal application of the hackney carriage/private hire driver licence in respect of Mr. K.C. be refused.

5. REQUEST FOR EXEMPTION FROM ROTHERHAM MBC HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY REQUIREMENT

The Sub-Committee of the Licensing Board considered a report, presented by the Licensing Manager, relating to an application from Mr. H. for an exemption from the Licensed Vehicle Age Policy (Appendix I to the Council's Taxi Licensing Policy).

The previous licence had expired on 6th March, 2021, at which time the vehicle had been 9 years 6 months old. Due to the age of the vehicle it had been brought to the Sub-Committee for consideration.

The Sub-Committee considered the reasons for the request in detail.

Resolved:- That the request for an exemption from the Licensing Vehicle Age Policy in respect of vehicle XXX GWX be refused.

LICENSING SUB-COMMITTEE
28th June, 2021

Present:- Councillor Ellis (in the Chair); Councillors Jones and Clark.

**LICENSING ACT 2003 -CONSIDERATION OF AN APPLICATION
(MADE IN ACCORDANCE WITH S.51 OF THE LICENSING ACT 2003)
TO REVIEW THE PREMISES LICENCE IN PLACE AT BRAMPTON
LOCAL SHOP, 103 KNOLBECK AVENUE, BRAMPTON BIERLOW,
ROTHERHAM, S73 0UB**

Consideration was given to an application for the review of a Premises Licence in accordance within the provisions of Section 51 of the Licensing Act 2003, in respect of the premises known as Brampton Local, Rotherham S73 0UB. The licence had been in place since 15th August, 2013.

Ms. S. Hussain (Premises Licence Holder, and Designated Premises Supervisor) was in attendance at the meeting. She was assisted in the meeting by Mr. Mahmood, interpreter.

The Licensing Authority received representations made by Rotherham Council's Licensing Service (acting in its role as a Responsible Authority under the Licensing Act 2003) which had not been withdrawn and the Sub-Committee considered those representations.

The premises had the benefit of a Premises Licence issued under the Licensing Act 2003 which permitted the sale of alcohol for consumption off the premises only.

Following the submission of a review application and within the prescribed period of 28 days, additional information relating to the premises had been provided by South Yorkshire Police.

In light of the sensitive nature of the additional information provided by South Yorkshire Police, there was an application for the information to be heard in private session. The Sub-Committee agreed to hear the representations in private session.

Upon conclusion of the presentation of Police information, the Sub-Committee reverted to open session.

The application to review the premises licence was submitted on the grounds that the Premises Licence Holder was failing to properly promote 2 of the licensing objectives namely public safety and the protection of children from harm.

As a result of information received, Police Officers had attended the premises on 1st June, 2020, and found one member of staff present who

appeared to be under the influence of alcohol. Ms. Hussain, the Premises Licence Holder and the Designated Premises Supervisor, was not present. The member of staff provided a contact number for a male he stated was the business owner. However, upon speaking to the male, it transpired that he was the manager of the premises but knew little about the member of staff as he only saw him when he opened and closed the shop each day.

Following information from the Police on 3rd June, 2020, the Licensing Service contacted the manager of the premises, Mr. Hassan Zakira, the following day who was reluctant to speak with Licensing Officers or discuss the premises/his involvement. After initially denying a visit by the Police, he accepted they had visited/contacted him to make him aware of the situation. He stated that the member of staff worked alone for most of the day, however, he saw him for an hour each morning and afternoon. The manager stated he managed the day-to-day running of the business and managed all staff employed to work there.

Mr. Zakira provided the name of the business owner, Mr. Ashfaq Ahmad, but advised that he was currently out of the country; he did not know who the Premises Licence Holder or the Designated Premises Supervisor were. When questioned as to who was authorising the sale of alcohol from the premises currently, he believed it was him but was not sure and asked what authorising sales meant.

He provided a first name of the person he believed to be the Premises Licence Holder who went to the premises once a day to take the cash away and send to the business owner. However, he could not provide a full name for her or a contact number.

Licensing Officers spoke with Ms. Hussain, Premises Licence Holder, by telephone on 4th June, 2020, who stated that the premises were under control with no underage sales made. She advised that the “manager” (Mr. Zakira) was not the manager and was in fact employed to go to the cash and carry. Ms. Hussain stated that her role was to carry out the stocktake, write the list for the cash and carry and cash up weekly. She did not refer to herself as being the Premises Licence Holder or the Designated Premises Supervisor.

Mr. Ahmad employed staff to work at the premises and managed them; she was only notified of their employment. If there was a problem it was for Mr. Ahmad to sort not her. She knew the employee concerned had issues with alcohol.

During the call specific questions relating to challenging persons who appeared to be underage, refusing sales, staff training and authorising the sales of alcohol were asked of Ms. Hussain. The responses received evidenced a lack of control of the premises and understanding of being a Premises Licence Holder. It was stated that staff training had been

undertaken but that it had been verbal nor was written authority in place authorising staff members to sell alcohol in her absence.

A visit had been made to the premises by Licensing Officer on 30th July, 2020. Only one member of staff had been working and appeared to be heavily under the influence of alcohol. No answers could be provided with regard to either Challenge 21 or Challenge 25 and unsatisfactory responses provided relating to the sale of alcohol/cigarettes to someone who did not look 18 years of age.

There was no refusals register kept or staff training records. He advised that the training he had received had consisted of being shown how to use the till. He did not know who the Premises Licence Holder was or what a Designated Premises Supervisor was nor did he have an understanding of challenging underage sales/refusing or proxy sales.

The premises had a CCTV system fitted with multiple cameras, however, the member of staff did not know how to operate it.

Licensing Officers requested sight of the written authority provided by the Premises Licence Holder and Designated Premises Supervisor to authorise him to sell alcohol on her behalf. Officers were advised that there was no written authority and he had been told by the business owner to work there and sell whatever customers wanted to purchase.

During the visit Licensing Offices also identified that no measures had been put in place at the premises to reduce the risk to the public of Covid-19.

Ms. Hussain, with the assistance of the interpreter, refuted a number of the allegations. She stated that, following a visit by the Council's Covid Enforcement Officer, there was now Covid-19 signage displayed in the premises as well as sanitiser. The gentleman who had been working in the shop and found to be under the influence of alcohol had been sacked. Ms. Hussain was in charge of the hiring of and dismissal of staff. Things were very different in 2021 to what they had been in 2020. However, training was conducted verbally and there were no written records of such.

The Sub-Committee considered the application for the review of the premises licence and the representations made specifically in light of the following Licensing objectives (as defined in the 2003 Act):-

- Public safety.
- The protection of children from harm.

Resolved:- That, after due consideration of the application for review and to the representations submitted, the premises licence for the premises known as Brampton Local, Rotherham, be revoked with immediate effect.

LICENSING SUB-COMMITTEE
1st July, 2021

Present:- Councillor Ellis (in the Chair); Councillors Bacon and Wyatt.

CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.17 OF THE LICENSING ACT 2003) FOR THE GRANT OF A PREMISES LICENCE FOR THE PREMISES DESCRIBED AS THE VINTAGE BOOTH, 14 GRANGE LANE, MALTBY, ROTHERHAM, S66 7DA

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 Vintage Booth, 14 Grange Lane, Maltby, Rotherham. The applicant was seeking a licence to permit the retail sale of alcohol for consumption on and off the premises and the provision of regulated entertainment (recorded music). The premises currently operated as a tearoom serving “traditional and vintage inspired food and hot drinks”.

In accordance with the procedure, the Licensing Manager, presented the report which set out the application seeking authority for the following licensable activities to take place at the premises:-

- Retail sale of alcohol (for consumption on and off the premises) between the hours of 0900 hours and 2300 hours Monday to Sunday
- The provision of regulated entertainment (recorded music) between the hours of 0900 hours and 2300 hours Monday to Sunday

The applicant had stated “we play vintage background music, usually on vinyl or CDs. We pay a yearly music licence for this”

During the 28 days consultation period, the Licensing Service had agreed the following in relation to the application:-

- The application had been amended so that the sale of alcohol will only take place between 0900 hours and 2100 hours Monday to Sunday

together with a number of conditions should the application be granted.

Following the submission of the application paperwork, a representation had been received from a local resident citing concerns regarding noise and anti-social behaviour. The amendment to the application and agreed conditions had been presented to the resident; the resident confirmed that their representation remained and wished it to be considered by the Sub-Committee.

There were no representations made by the Responsible Authorities. A concern by the Licensing Service regarding the hours of opening had been addressed by the agreed amended conditions.

Mrs. Mallory, supported by a friend, addressed the concerns raised by the objector.

In conclusion, the Sub-Committee took due note of the written representation made and the conditions agreed with the applicant intended to address any concerns that the Licensing Service and the objector may have had in relation to the application.

The Sub-Committee considered the application for the grant of the Premises Licence and the representation 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, under the provisions of the Licensing Act 2003, in respect of The Vintage Booth, 14 Grange Lane, Maltby, be granted as follows:-

Retail Sale of Alcohol [for consumption on and off premises]

The application had been amended so that the sale of alcohol will only take place between 0900 hours and 2100 hours Monday to Sunday

Regulated Entertainment [Live & Recorded Music]

Monday-Sunday: 0900 hours-2100 hours

and subject to the following conditions:-

1. The premises shall operate solely as a restaurant/tearoom save for pre-organised themed events or clubs agreed in advance with the Licensing Authority and South Yorkshire Police.
2. The premises will not operate exclusively as a bar save for pre-organised themed events or clubs agreed in advance with the Licensing Authority and South Yorkshire Police.

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3. Alcohol will only be sold to those whose principal purpose is to attend the premises for a meal or pre-organised event.
4. Whenever there are anticipated changes to the normal operating framework of the premises, where it is reasonable to assume there will be an increase in customers or likelihood of disorder, a risk assessment shall be carried out by the Premises Licence Holder to determine whether door supervisors shall be required. The risk assessment shall be documented in a register, kept at the premises and available for inspection by the Police or Council Licensing Enforcement Officer upon request. The risk assessment shall comply with any advice given by South Yorkshire Police or Council Licensing Officers in respect of door supervisors.

LICENSING SUB-COMMITTEE
2nd July, 2021

Present:- Councillor Ellis (in the Chair); Councillors Jones and Clark.

CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.51 OF THE LICENSING ACT 2003) TO REVIEW THE PREMISES LICENCE IN PLACE AT THE BUNGALOW COMMUNITY CENTRE, THE BUNGALOW, TENTER ST, ROTHERHAM, S60 1LB

Consideration was given to an application for the review of a premises licence made under Section 51 of the Licensing Act 2003, in respect of the premises known as the Bungalow Community Centre, Tenter Street, Rotherham.

On 27th April, 2021, the Licensing Service (acting in its role as a Responsible Authority under the Licensing Act 2003) submitted an application to review the Premises Licence following the serving of a Fixed Penalty Notice in response to a failure of the licence holder to comply with nationally imposed requirements introduced to control the spread of Coronavirus/Covid-19 within the United Kingdom. In addition, the applicant cited a number of concerns regarding poor compliance at the premises along with poor management that undermined the licensing objectives:-

- Disorder and anti-social behaviour associated with the premises
- A lack of effective management control in relation to the operation of the premises
- A general failure of the licence holder to adhere to the conditions attached to the Premises Licence.

Following submission of the review paperwork, 2 additional responses were received in relation to the review:-

Environmental Health

- An apparent failure to comply with legislation regarding the service of food and alcoholic/non-alcoholic drinks in hospitality venues
- Lack of effective controls in place to ensure that customers and staff are adequately protected from Coronavirus/Covid-19

South Yorkshire Police

- A number of reports recorded on Police systems that made reference to The Bungalow Community Centre
- Interactions between the Designated Premises Supervisor and Police Officers/Police staff

The Sub-Committee heard representations from Mrs. K. Ladlow (Principal Officer of the Local Authority Licensing Enforcement Unit and the applicant for the premises licence review), Police Sergeant Neil Windle (substitute for Helen Cooper, South Yorkshire Police), Ms. R. Williams (Licensing Enforcement Officer) and from Ms. T. Munetsi (Premises Licence Holder and Designated Premises Supervisor). In addition, Ms. Munetsi's partner Francis Lunga, Mr. W. Mwale and Mr. G. Gumba were also present at this hearing as well as Mr. B. Smith, Yorkshire MESMAC who used the premises.

The premise was a medium sized bungalow consisting of several separate rooms on one level and a converted kitchen with a serving hatch to form a bar area. The premise was licenced for the sale of alcohol for consumption on the premises only and had been in place since October 2013.

The current Designated Premises Supervisor of the premises was the Premises Licence Holder Ms. T. Munetsi.

Members were informed of the details of the specific concerns in respect of the management of these premises:-

Licensing Service

- (a) On 30th October, 2020, the Licensing Service had been notified by Environmental Health that The Bungalow Community Centre had been issued with a Fixed Penalty Notice for breach of Regulation 6(1) of The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020. Specifically that on 23rd October, 2020, the premises were observed by an Environmental Health Officer to still be open at 22.17 hours. The Regulations in force at that time required licences premises to close at 22.00 hours
- (b) Ms. Munetsi had received a written warning on 15th October, 2020, after 2 visits to the premises were undertaken during the evenings of 13th and 14th October when officers observed practices at the premises that were in breach of the Coronavirus Regulations in force
- (c) The Licensing Service had also been made aware of an incident at the premises on 5th July, 2020, when South Yorkshire Police had been notified by a member of the public that a large fight was taking place with weapons being used and vehicles being driven at other involved persons who were on foot.
- (d) Officers from the Licensing Service and Food, Health and Safety, had visited the Premises alongside a South Yorkshire Police Licensing Officer on 9th July, 2020 as a result of the incident at (c) above. A licensing compliance check was undertaken with Ms. Munetsi requested to provide a copy of the premises licence conditions agreed as part of a Consent Order following a previous licencing review in February, 2019. Ms. Munetsi had not been able to locate a copy of the conditions, however,

agreed to discuss each one using documentation provided at the time by Licensing Officers.

(e) Ms. Munetsi stated that the premises CCTV system had been stolen during a break-in on 30th May, 2020 and not been replaced until 7th July, 2020. The premises licence contained a condition requiring installation and operation of a CCTV system at all times.

(f) Ms. Munetsi stated that the event on 5th July was a private party hosted for a member of the community who regularly frequented the premises. She held a list of persons attending. A DJ had been hired to play at the event who had advertised the party on social media resulting in attendees who had not been invited. As it was a private party Ms. Munetsi had not believed a CCTV system to be essential.

(g) Upon request to view the premises incident register and refusal register, a ring bound book was produced in which there were no consecutively numbered pages. The incident book did not contain a record of the 5th July incident.

The premises licence had an Annex 2 condition to have such book with consecutively numbered pages in which all incidents involving anti-social behaviour, injury and ejections must be recorded. It was further requested recording of the date, time and location of the incident with full details of the nature of the incident and details regarding Police attendance.

Ms. Munetsi had taken the refusals register home. It was a requirement to have the refusals register on site at all time in accordance with Annex 2 condition of the premises licence.

(h) When asked to produce records of staff training, an Annex 2 condition of the premises licence, it was stated that refresher training had been undertaken, however, the training record was at Ms. Munetsi's home.

(i) When asked if the premise was operating an age verification policy, it was stated that it was operating Challenge 25, however, officers noted that signage displayed showed Challenge 21. Ms. Munetsi was aware of the Annex 2 condition to operate Challenge 25, however, between 2018 and the visit she had not got round to changing the displayed challenge scheme posters.

(j) The premises licence had an Annex 2 condition for clear signage at the entrance/exit doors reminding customers to leave the premises quietly and have consideration for neighbouring residential properties. One sign was found, adjacent to a door leading to an area which customers had no access.

(k) The incident on 5th July, 2020, should have had 20 people in attendance. A fight broke out amongst a group of individuals outside the premises which Ms. Munetsi had not been aware of until the Police arrived. The individuals were not invited to the event and had attempted to gain entry. She stated that no disorder had taken place inside the premises.

(l) Mr. Lunga stated that the premises were permitted to re-open on 4th July following a change in Coronavirus Regulations and they had agreed to host the party due to restrictions on people congregating inside residential properties. The host of the party had supplied all the alcohol and a DJ for the event. He accepted that a fight had broken outside of the premises but stated that the individuals were not customers from inside the premises or attendees at the party. He was reminded that Annex 2 condition of the premises licence prohibited customers from entering the premises with vessels containing alcoholic products.

Environmental Health

(a) A joint visit with the Police made to the premises on 9th July, 2020, following the incident on 5th July. The paved floor of the rear yard had yellow taped directional arrows as part of their Covid-19 measures, signs encouraging people to wash their hands and observe social distancing by staying 1 metre apart. However, inside the premises the signs advised people to stay 2 metres apart. There were more yellow directional signs inside the premises.

In the hallway there was a sign displaying operation of a Challenge 21 Policy with a sign next to it stating 'no drugs'. Within the individual rooms there were various types of seating close together.

(b) The conditions attached to the licence agreed at the previous Court hearing were discussed in numerical order with Ms. Munetsi and Mr. Lunga as well as discussion of the Covid-19 related issues. The discussion took place in the bar areas of the premises which had a physical barrier in place and drinks served through a hatch-style opening. Numerous issues were noted in terms of compliance with the conditions as well as some mandatory ones.

(c) Condition One of the licence stated there must be a certain standard of CCTV present that recorded for 28 days and was capable of being downloaded. The CCTV had been stolen on 30th May, 2020, therefore, no 28 days of footage available to check. The Information Commissioner had also not been informed

(d) A ringbound book with no consecutively numbered pages had been produced as the incident register with no note of the 5th July incident. There was mention of the break-in, however, it was a simple one sentence with no signatures to suggest review by management. There also a list of banned persons from the premises consisting of a date and name; 2 entries had a first and surname and 2 just had a first name

(e) Ms. Munetsi was unable to produce the refusal register as she had taken it home. It had also been requested to see who had been nominated in writing to act in place of the Designated Premises Supervisor when the premises were conducting licensable activities. Again Ms. Munetsi advised that it was at her home as were the records relating to staff training for underage sales, drug awareness, serving to persons in drink etc. as part of the Court agreed conditions.

(f) Ms. Munetsi confirmed that they operated the Challenge 25 scheme even though the signage indicated Challenge 21.

(g) There were no signs relating to public nuisance or signs asking customers to leave the premises quietly at the entrance and exit doors. The only notice was inside the kitchen area leading to the CCTV room where customers were not allowed.

(h) The public nuisance condition also stated that no persons other than the Premises Licence Holder, Designated Premises Supervisor and employed staff should remain on the premises once closed. Ms. Munetsi disclosed that the party organiser had stayed behind after closing to help clean up. The condition also stated that the outside area should not be used after 23:00 hours except for people who wished to smoke and that there should be signs indicating such. Ms. Munetsi stated that the smoking area was at the back of the premises, however, there were no signs to indicate this.

(i) The premises licence summary was on display albeit set back from the serving hatch area and, therefore, very difficult to see. There was also no drinks price or size lists on display. Ms. Munetsi was not able to show the full premises licence as it was at her home.

(j) Due to concerns that several conditions were not being adhered to, a second visit was conducted on 18th August, 2020. It was clear that significant improvements had been made with it being noticeably cleaner, erection of the correct Challenge Scheme signage and the smoking area designated by signs. The refusals book was present in a bound book, pages numbered by hand and refusals included. Challenge 25 refusals were on printed sheets placed in a clear plastic wallet and an incident register but not in a bound format. The CCTV system was checked and found to be working.

South Yorkshire Police

(a) There was no evidence that the Designated Premises Supervisor or Premises Licence Holder had taken active steps to get people out of the premises. It had been a third party who had rung the Police and not anyone from the event.

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(b) Call to the Police with regard to disturbance/fighting at 02:17 hours on 8th March, 2020. Unknown male fighting at the venue as refused to serve him. Officers attended.

(c) Designated Premises Supervisors reported burglary at the premises on 3rd May at 11:00 hours. Alcohol and the CCTV system stolen.

(d) 5th July, 2020 at 01:15 hours report of large number of persons (between 15-20) with weapons including knives fighting in the street.

Police body worn footage (with sound audible) was viewed by everyone present at the meeting showing activity outside and within the premises on the night in question.

(e) Visit to the premises on 9th July, 2020, where building work was underway. The incident on 5th July was discussed and reminded that the Consent Order clearly stated that the outside area could only be used until 23:00 hours; there were still people outside at 01:15 hours.

(f) Telephone call to Designated Premises Supervisor on 21st July, 2020 informing Ms. Munetsi that the Police body worn footage had been viewed where it was apparent that approximately 50 people had been present at the party. The lack of social distancing was also raised.

The Designated Premises Supervisor and Premises Licence Holder informed the Sub-Committee:-

(a) Footage was shown to the meeting, downloaded from the CCTV onto a memory stick, of a visit to the premises by Mr. Cattell, Environmental Health Officer, on 23rd October, 2020.

(b) The Bungalow had been closed since the Covid-19 restrictions had come into place last year not allowing the opening of places that sold liquor that was consumed on the premises. She had been surprised to receive an email from the Licensing Service starting that they needed to review the premises licence due to the failure to meet the licensing objectives i.e. the prevention of crime and disorder, public safety and the prevention of public nuisance.

(c) The documents supplied dated back to 2020 and Ms. Munetsi felt that the reasons for review were not justified as they did not relate to any issues or concerns that had been raised or discussed before to which she had failed to resolve.

(d) Ms. Munetsi had asked members of the public in the locality if the premises were a problem to them; no-one had raised any issues. She could not understand why issues from the past were being raised as they had been dealt with. A number of improvements had been made to the building and things had changed.

(e) The Bungalow was the only African community centre in Yorkshire and was vital for the community to come together and meet.

(f) The Fixed Penalty Notices for breach of Covid-19 Regulations had been paid without appeal for fear of receiving a criminal conviction.

(g) Ms. Munetsi acknowledged that the rules surrounding Covid-19 had changed on such a frequent basis it had been difficult to keep abreast of what was required at any given time.

(h) Due to the renovation works taking place at The Bungalow, all the paperwork had been removed for safekeeping.

(i) The Licensing Department had not been notified of the stolen CCTV equipment due to the premises being closed.

(j) Acknowledgement that the Challenge 21 signage was wrong but was awaiting completion of the renovation work before the correct signage was displayed.

(k) Acknowledgement of the licence condition regarding not being able to bring your own alcohol to the premise but as it was a private party Ms. Munetsi did not think it was a problem.

(l) On the night of the party (5th July, 2020), Ms. Munetsi was of the opinion that the premise was Covid-19 compliant with the provision of sanitiser, posters and directional arrows on the floor.

(m) A particular gentleman had turned up for the party with whom there was an incident. He was asked to leave and no longer attended the premises.

(n) The incident had happened outside the premises; Ms. Munetsi had not seen it and why she had not reported it to the Police.

The Sub-Committee considered the application for this review of the 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 premises licence in respect of the premises known as the Bungalow Community Centre, Tenter Street, Rotherham, be revoked with immediate effect.

**LICENSING SUB-COMMITTEE
2nd July, 2021**

Present:- Councillor Ellis (in the Chair); Councillors Jones and Clark.

CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.51 OF THE LICENSING ACT 2003) TO REVIEW THE PREMISES LICENCE IN PLACE AT THE HAYNOOK, REDSCOPE CRESCENT, KIMBERWORTH PARK, ROTHERHAM, S61 3LY

Consideration was given to an application for the review of a Premises Licence in accordance with the provisions of Section 51 of the Licensing Act 2003, in respect of the premises known as The Haynook, Redscope Crescent, Kimberworth Park, Rotherham.

The review application had been submitted following an investigation into a complaint regarding disorder at the premises and identification of poor management practices including a failure of the licence holder to comply with nationally imposed requirements introduced to control the spread of Coronavirus/Covid-19 within the United Kingdom. Two Fixed Penalty Notices had been issued in relation to the breaches.

The Sub-Committee heard representations from Mrs. K. Ladlow (Principal Officer of the Local Authority Licensing Enforcement Unit and the applicant for the premises licence review), Police Sergeant Neil Windle (substitute for Helen Cooper, South Yorkshire Police), Mr. A. Monkhouse (Principal Environmental Health Officer). In addition, Mr. Richard Taylor, Solicitor, and Joanne Hipkiss, Stonegate Pub Company, were in attendance.

The application for a full review of the premises sought a revocation of the premises licence on the grounds that the Premises Licence Holder was failing to properly promote 3 of the licensing objectives i.e. the prevention of crime and disorder, public safety and the prevention of public nuisance due to:-

- Violent disorder, drug dealing and drug use connected to the premises.
- A lack of effective management control in relation to the operation of the premises.
- A general failure of the licence holder to adhere to the conditions attached to the Premises Licence.
- An apparent obstructive/dismissive demeanour demonstrated by the Designated Premises Supervisor.
- Concerns regarding the licence holder's failure to adhere to legal requirements introduced to control the spread of Coronavirus within the United Kingdom.

Following the submission of the review paperwork, 2 additional representations had been received in relation to the review:-

South Yorkshire Police

- A number of reports recorded on Police systems that make reference to The Haynook.
- Interactions between the Designated Premises Supervisor and Police Officers/Police staff.

A Local Resident

- Noise nuisance.
- Anti-social behaviour and disorder.

Further information had also been provided by South Yorkshire Police which the Sub-Committee was requested to consider in private session.

Members were informed of the details of the specific concerns in respect of the management of these premises:-

- The premises were a large sized premise consisting of 2 main bar areas licensed for the sale of alcohol for consumption on and off the premises. The licence had been in place since September, 2005.
- The current Designated Premises Supervisor (DPS) of the premises had held the position since November, 2019.
- The Licensing Service had received a complaint from a member of the public on 8th October, 2020, regarding witnessed disorder out of the premises the previous evening resulting in Police attendance. The disorder was described as violent in nature and loud shouting. The complainant further stated they had witnessed incidents of a similar nature previously as well as drug dealing and drug use within the premises car park.
- A visit by the Licensing Service and Food, Healthy and Safety on 15th October, 2020 revealed that the DPS was not present. The DPS was also a DPS at another premises elsewhere. The member of staff present stated that the DPS was rarely at the premises and only visited if they had a pre-booked meeting to attend. A manager had been put in place by the DPS to manage in their absence.
- A licensing compliance check was undertaken and the member of staff present asked to produce the premises incident register and challenge/refusal register. The incident book was a notepad and completed as and when staff were able. An incident on the 7th October had not been recorded as yet. The incident register or the refusal register could not be produced. A telephone call was made to the DPS and manager where it became evident that neither knew the location of such.

- A second member of staff had arrived for work who confirmed that they had not received any training. Staff training records could not be produced. The DPS had stated that the previous DPS had taken the staff training records resulting in her not having any.
- During the telephone call the DPS was obstructive, dismissive of the concerns raised by Council Officers and swore whilst shouting during the call. She stated that she left the running of the business to the manager.
- Cocaine identification wipes had been used in both the male and female toilets. The male toilets tested positive for cocaine.
- The premises were in a dirty condition with poor maintenance. A rear fire door was wedged closed by a bar stool.
- There were 16 CCTV cameras recording footage for a period of 31 days. However, officers identified camera blind spots inside and outside the premises with poor camera positioning of some of the installed cameras. The CCTV time stamped onto the cameras was 8 minutes behind real time.
- CCTV footage for 7th October was viewed between 21:30 and 22:30 hours which evidenced disorder between 4 individuals. The disorder began inside the premises and continued outside. The incident commenced at 21:40 hours continuing past the 22:00 hours closure time under Coronavirus regulations
- CCTV footage for 9th October between 21:30 and 22:30 hours was viewed and showed customers walking up to the bar to order drinks, waiting for them to be poured and served to them. Bar service was not permitted as of that date under Coronavirus regulations. Footage viewed between 21:58 and 22:01 hours evidenced the manager working behind the bar without wearing a face covering. A second member of staff was wearing a face covering, however, they pulled it down when speaking to customers and other staff members.
- CCTV footage for 10th October between 21:00 and 22:30 hours was viewed and showed:-
 - a live amplified ban playing within the premises
 - between 21:08 by the time on the cameras (21:17 real time) and 21:09 full service at the bar was taking place with customers seen to be ordering, paying and receiving drinks at the bar
 - 21:15 (21:23) several customers at the bar ordering, paying and receiving drinks

- 21:55 (22:03) the band could be seen packing away whilst customers remained within the premises seated at tables consuming drinks
- 21:56 (22:04) 3 members of staff working behind the bar without face coverings
- 22:07 (22:15) 3 customers stood side by side at the bar drinking alcoholic beverages with no social distancing
- 22:08 (22:16) a male approached the bar, ordered a drink, paid and was handed a bottle

- The footage showed a serious lack of Coronavirus safety measures at the premises and staff members not seen to challenge customers at the bar or request social distancing.
- 2 Fixed Penalty Notices for breach of The Health Protection (Coronavirus Restrictions) (No. 2) (England) Regulations 2020 were served on the premises licence holder – EI Group PLC – on 22nd October, 2020.

South Yorkshire Police requested that their evidence be considered in private. The Sub-Committee, having heard an explanation for this request and representations from parties present, considered the information as being exempt from the public and press.

On conclusion of the evidence the Sub-Committee conducted the remainder of the meeting in open session.

The member of the public who had submitted a representation had been invited to the meeting but was not in attendance.

The representatives for The Haynook stated:-

- EI was the biggest tenanted pub company in the country which formed part of the Stonegate Pub Company – 36 of the licences had been issued by Rotherham.
- All the incidents identified in the submissions were when the premises were subject to a tenancy agreement with a Designated Premises Supervisor in charge.
- Agreement that the management of the premises had been inadequate, breached the licence conditions as well as contravention of Coronavirus regulations despite being provided with all the necessary items. The Fixed Penalty Notices had been paid, arrangements made to end the tenancy and the pub closed as quickly as possible.

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- Discussions had been taking place with South Yorkshire Police's Licensing Officer as to what was required at the premises to ensure they operated correctly in the future. It would continue to be closed until a new strong and experienced manager was identified that was acceptable to the Police and the premises refurbished.
- The premises had been closed for 5 months and had been the subject of numerous break-ins.
- The former tenant would have no connection with the premises in the future if the licence was allowed to continue.
- In 2017 an action plan had been agreed with the Licensing Service regarding noise nuisance and crime and disorder complaints.

The Sub-Committee considered the application for the review of the premises licence and the representations made specifically in 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, after due consideration of the application for review and to the representations submitted:-

- (1) The Designated Premises Supervisor be removed from the Premises Licence with immediate effect.
- (2) That the Premises Licence for The Haynook, Redscope Crescent, Kimberworth Park, Rotherham, be suspended for 3 months.
- (3) That The Haynook become members of Rotherham Pubwatch.
- (4) That door security be provided on Friday and Saturdays from 6.00 p.m.
- (5) That the CCTV system be updated.