

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Wednesday 15 September 2021

Present:- Councillor Clark (in the Chair); Councillors Baker-Rogers, Baum-Dixon, Cooksey, R. Elliott, Pitchley, Wyatt and Yasseen.

Apologies for absence:- Apologies were received from Councillors Barley, Browne, Burnett and A Carter.

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

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

37. MINUTES OF THE PREVIOUS MEETINGS HELD ON 14 AND 28 JULY 2021

Resolved: - That the Minutes of the meetings of the Overview and Scrutiny Management Board held on 14 and 28 July 2021 be approved as a true record.

38. DECLARATIONS OF INTEREST

There were no declarations of interest.

39. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

40. EXCLUSION OF THE PRESS AND PUBLIC

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

41. YEAR AHEAD PLAN PROGRESS REPORT

Consideration was given to a report that was submitted for pre-decision scrutiny ahead of the Cabinet meeting scheduled for 20 September 2021 that provided information on the on progress made in delivering the key activities as set out in the Council's Year Ahead Plan in the plan. The Leader of the Council and the Assistant Chief Executive attended the meeting to present the report.

The report noted that the Year Ahead Plan was the Council's plan for operating in and recovering from the COVID-19 pandemic and that it had originally set out key activities for the Council for the period September 2020 to May 2021. It was noted that an extension to the Plan, featuring these same themes and outcomes had been approved by Cabinet in June 2021 and that the plan was now in place for period until the new Council Plan for 2022 onwards had been produced and approved.

The report stated that the plan detailed in the key activities that would be

undertaken in order for the Council to support residents, communities and businesses through the ongoing challenges and uncertainties of the pandemic and also direct the Council's ambitious plans for Rotherham's future.

The Leader noted that of all the activities contained in the Year Ahead Plan:

- 13% (11) of the activities outlined within the extended Year Ahead Plan had been completed
- 63% (55) were on track
- 14% (12) were behind schedule
- 2% (2) were off track
- 9% (8) had been closed.

The Leader noted that the development of the new Council Plan was continuing with a wide-ranging consultation with residents being carried out that would be used to shape the new plan. The Leader also noted that members of the Overview and Scrutiny Management Board would also have further opportunities to be engaged with and consulted on the development of the new Council Plan.

The Leader advised that development of a new Carers Strategy was continuing and that a draft strategy had been prepared following online consultation. The Leader noted that the draft strategy would now be subject to further consultation through a series of face-to-face consultation events in order to ensure the consultation had been as thorough and wide ranging as possible. The Leader noted that he was pleased to report that after numerous delays caused by the pandemic, that work at the Herringthorpe Stadium, other than the works on the car park, would now be able to commence.

The Leader provided further information on the reinstatement of face-to-face customer service access across the Borough, the Council's application to be an accredited Real Living Wage employer and the proposed Hybrid Working Policy that was scheduled to be considered by the Council's Staffing Committee in the next week.

A document that outlined progress against all of the actions contained within the Year Ahead Plan was attached as an appendix to the officer's report.

Members asked why the activity to realign ward based partnerships and networks with the Council's new wards was delayed when the introduction of the new wards in 2021 had been known about well in advance of the changes being implemented. The Leader advised that the delay had been due to external factors including delays in the Police matching their data to the new wards and in ensuring that staffing capacity was most effectively allocated in order to deliver effecting ward working.

Members sought assurance regarding work and consultation activity with the Parish and Town Councils as the post of Parish Liaison Officer was currently vacant. The Assistant Chief Executive advised that a wide range of activity, including seeking an internal secondment that was taking place in order to fill this post, but assured members that the duties related to this post were not being neglected and were currently being covered by the wider Neighbourhoods Team.

The Chair noted the ongoing work that was being carried out with regard to the development of new Carers Strategy and asked when the new strategy would be in place. The Strategic Director Strategic Director - Adult Care, Housing and Public Health, who was in attendance at the meeting advised that the draft strategy would be considered by the Unpaid Carers Group and the end of September before being subject to further consultation.

Members noted the many positive achievements of the Council over the previous 18 months that were detailed in the plan and welcomed the Council's commitment to become an accredited Real Living Wage employer that took the welfare of all of its employees seriously. Members also noted the success of the new style Rotherham Show that had taken place earlier in September and advised that they had received a great deal positive feedback about the event.

Members asked for further information about the reasons why the activity to commission new services to prevent financial exploitation were off-track. The Leader advised that the delay had been caused by the preferred delivery partner, West Yorkshire Trading Standards not taking on new business during the pandemic, and that due to the unique service that they offered it had not been possible for an alternative delivery partner to be commissioned.

Members noted the activity detailed in the plan surrounding neighbourhood working and asked how the Council planned to move this on further and embed a culture of neighbourhood working across the entire Council. Members commented that the Neighbourhoods team should operate as a central and coordinated hub that enabled elected members to work effectively with officers and residents in order deliver positive change to their communities but noted that this function was not operating as effectively as it needed to.

In response the Leader reaffirmed his commitment to effective neighbourhood working and in ensuring that the right processes were in place to ensure that members could respond effectively to the needs of residents in their wards. The Leader acknowledged that the fully integrated approach that was needed to deliver seamless neighbourhood working was not quite as developed and embedded as it needed to be but assured members it was a top priority to ensure that these processes were developed and improved further.

Members asked whether the Council's activity in driving and supporting

the post-pandemic economic recovery would include work to ensure that those looking for work had the skills that matched the industries, notably the hospitality industry, that had significant numbers of vacancies. Members noted that the implementation of the Town Centre Masterplan would create significant numbers of hospitality vacancies and as such it was essential that those looking for work received the support to be able to fill these vacancies.

The Leader noted the wide range of support that was offered locally to support people into work but advised that there was no specific programme that worked to bridge the skill gap into hospitality work. The Leader advised that he was keen for all the different schemes that were in operation in the Borough to work together in a more coordinated way in order to maximise their outcomes in supporting as many people into sustainable work as possible. The Leader noted that the Council had created 89 jobs as part of the Government's "Kick Start" scheme and that around half of these vacancies had now been filled. The Leader advised that he was optimistic that many of these temporary posts would lead to permanent jobs.

The Chair thanked the Leader and the Assistant Chief Executive for attending the meeting and answering member questions.

Resolved: -

That Cabinet be advised that the recommendations be supported.

42. JULY FINANCIAL MONITORING 2021/22

Consideration was given to a report that was submitted for pre-decision scrutiny ahead of the Cabinet meeting scheduled for 19 July 2021 that detailed the Council's financial position as at the end of July 2021 based on actual cost and income figures for the first four months of 2021/22. It was noted that the report was the second of a series of financial monitoring reports for the current financial year. The Cabinet Member for Corporate Services, Community Safety and Finance, the Assistant Director - Financial Services and the Head of Corporate Finance attended the meeting to present the report.

The report stated that as of July 2021 the Council was expecting to deliver the overall outturn within budget for the financial year 2021/22. It was noted that while the Directorates had a current forecast year end overspend of £7.2m on General Fund expenditure that this should be mitigated by the Government's provision of COVID-19 emergency support grants and Sales, Fees and Charges Income Compensation. It was noted that the longer-term impacts of Covid-19, public health measures and the pace at which services could return to normal was unknown and as such the financial situation in the short to medium term would continue to be surrounded by a degree of uncertainty.

The report provided a detailed narrative for the budget position of each directorate. The report also provided information on the delivery of previously agreed savings, the position of the Housing Revenue Account, the Covid-19 Local Support Scheme, and the delivery of the Capital Programme.

Members asked for further information on the activities that were being carried out in order to return the management and operation of the Council's finances to a more "business as usual" position. The Assistant Director - Financial Services advised that the production of the Council's new Medium-Term Financial Strategy that would be considered by Cabinet in November 2021 would address many of the financial challenges that the Council faced as the Borough emerged from the pandemic.

The Assistant Director advised that it had been confirmed that the results of the three-year Government spending review would be known on 27 October, with details of the Local Government Financial Settlement following later in the year. The Assistant Director noted that it was hoped that the Financial Settlement would mirror the Spending Review in being for a period of three years. The Assistant Director also noted that work around Council Tax and Business Rates collection rates and driving the delivery of previously agreed savings was also being carried out in order to enable effective budget management and planning in future years.

Members sought assurance that the Council's finances and the administration of the numerous Government grants to support the Council's finances during the pandemic had been managed as efficiently and effectively as possible during the period of the pandemic. The Assistant Director assured members that the budget reporting processes required both internally and by the MHCLG had been followed stringently throughout the pandemic and noted that the positive financial outturns seen by the Council in recent years showed how effectively budgets had consistently been managed.

Members sought clarification on the impact and use of "vacancy management" in delivering balanced budgets across the Council, noting the use of the term in the officer's report. The Assistant Director advised that "vacancy management" could be seen as a slightly misleading term and assured members that it was never planned to run services with fewer staff than were required and budgeted for, but that savings created by natural staff turnover and subsequent short periods where a post may be vacant needed to be accounted for and were as such recorded under "vacancy management". The Assistant Director agreed that as the term appeared to be somewhat misleading in what it referred to that consideration would be given to how such savings were referred to in future reports.

Members noted the projected overspend of the Children's and Young Peoples Services budget and asked whether there would be any further

financial support from the Government to support the ongoing costs faced by the Council relating to Operation Stovewood. The Cabinet Member - Corporate Services, Community Safety and Finance assured members that the Council was in constant and ongoing discussions with the Government regarding the further financial support for Operation Stovewood.

Members noted their concern regarding the current budget overspends and how these had been impacted by the pandemic. Members stated that this was particularly frustrating given how well that the Council had been performing with regard effective service delivery, good budget management and in the identification and delivery of savings before the pandemic had started.

Members noted the ongoing budgetary pressures linked to the pandemic in the Regeneration and Environment directorate and asked for further information on where specific budgetary pressures were still being felt. The Assistant Director advised that this information would be collated and circulated to members. The Assistant Director noted that due to the many variable and unknown factors related to the pandemic, such as the speed of the economic recovery and the long-term impact of restrictions that there was still huge amounts of uncertainty regarding the financial position of the Council moving forwards. Members asked whether the grants received to replace lost income from leisure and recreation services were sufficient to offset the income that had been lost. The Assistant Director advised that while the grants received had been very welcome, they had now ended and as such leisure and recreation services would continue to face budget pressures as the impact of the pandemic continued to be felt.

The Chair sought assurance regarding the use of agency staff across the Council and asked how closely the use of agency staff and their related costs were monitored. The Assistant Director advised that spending on agency staff was closely monitored by Strategic and Assistant Directors. The Assistant Chief Executive assured the Chair that a group of senior officers oversaw all requests from departments regarding requests for agency staff and noted that the group frequently challenged managers to identify alternative solutions to meet their staffing needs other than taking on agency staff.

The Chair thanked the Cabinet Member for Corporate Services, Community Safety and Finance, the Assistant Director - Financial Services and the Head of Corporate Finance for attending the meeting and answering member questions.

Resolved: -

1. That Cabinet be advised that the recommendations be supported.
2. That a report be circulated to members of the Overview and Scrutiny Management Board in order to provide members with

information and assurance on the specific activities that are being carried out with, and by directorates in order to ensure the timely delivery of previously agreed budgetary savings.

43. COMMUNITY INFRASTRUCTURE LEVY SPENDING PROTOCOL

Consideration was given to a report that was submitted for pre-decision scrutiny ahead of the Cabinet meeting scheduled for 20 September 2021 regarding the proposed Community Infrastructure Levy (CIL) spending protocol. The Planning Policy Manager and the Head of Neighbourhoods attended the meeting to present the report.

The report noted that the Community Infrastructure Levy was a charge that councils could choose to apply to new development in order to raise funds for local infrastructure, such as extra school places, road improvements, improved public transport and better green spaces. It was noted that Rotherham's CIL Charging Schedule had been adopted by the Council on 7 December 2016 and had come into force on 3 July 2017.

It was noted that CIL was a mandatory charge for certain types of development and was charged on a £ per square metre basis for new development floorspace, with most new development that created net additional floor space of 100 square metres or more, or that created a new dwelling, being potentially liable for the levy. It was noted that there were certain exemptions from the charge that included social housing, self-build housing and domestic extensions.

The report stated in addition to delivering strategic projects across the Borough, that a portion of CIL income that was raised from development (15%) was allocated to be spent in the area where the development that had generated the CIL income had occurred. It was noted that in parished areas this funding was passed to Parish and Town Councils to spend on projects in their area, with the Council having discretion over spend of the neighbourhood portion arising from non-parished areas.

The report detailed the proposed protocol for prioritising and approving the spend of Strategic CIL funds as well as a proposed ward-based approach to the spend of Local CIL arising from development in non-parished areas.

Members asked whether local CIL funds could be used to support the delivery of projects that were being delivered via Housing Hubs. The Head of Neighbourhoods advised that he would seek clarification on this in advance of sending updated guidance to all members.

Members noted the complexity of CIL and requested that officers provide an all-member seminar on CIL in order to increase members knowledge and undertaking of CIL. Members also requested that the seminar covered Section 106 planning agreements and information on how these were different to the CIL.

Members noted the 15% of CIL funding that was allocated to Parish and Town Councils as a result of a CIL liable development occurring in their area and asked whether it was possible for Parish and Town Councils to request an additional share of the CIL that had been charged. The Planning Policy Manager advised that neighbouring Parish and Town Councils were able to work together in order to pool the funding received via the CIL in order to deliver projects that would be mutually beneficial for their residents. The Planning Policy Manager stated that in specific circumstances the use of the strategic element of a CIL charge to support the delivery of a project led by a Parish or Town Council could be appropriate, but noted that decisions on such matters were complex and would need to take numerous individual local factors into account. The Head of Neighbourhoods noted that he would always encourage Parish and Town Councils to work closely with their local ward members in order to be supported in accessing other possible sources of funding to support the implementation of local projects.

Members asked for clarification on how the funds received by the Council via the charging of CIL were budgeted and accounted for. The Planning Policy Manager advised that he would check with finance colleagues regarding this matter and would provide a response to members outside of the meeting.

Members welcomed the proposals for the procedure for the spending of the local element of the CIL in non-parished areas that would allow local ward members to be involved in the decision-making processes on how the money would be spent in order to support the delivery of local ward priorities.

Members noted that improvements to infrastructure supported by Section106 agreements due to the nature of the scheme tended to be concentrated in the less deprived areas of the Borough as developments in more deprived areas of the Borough were less likely generate large Section106 payments. Members asked whether it was possible that funding generated by the CIL could be directed to where it was needed most, and not just in the vicinity of the development as was the case with funding received from Section106 agreements. The Head of Neighbourhoods reaffirmed that strategic CIL funds could be spent anywhere across the Borough and not just in the vicinity of the development that attracted the CIL charge.

Members noted the proposed procedures for allocating funds received from the strategic element of the CIL to projects across the Borough and how the process was centred around an officer group that would make a recommendation to Cabinet on the spending priorities. Members noted their disappointment that the proposed process did not involve any consultation with ward members on how strategic CIL funding could be spent and asked how ward members could be more involved in the process. The Planning Policy Manager confirmed that the proposed

procedures for the allocation of strategic CIL funds did not involve engagement with ward members, noting the spending of strategic CIL funds would be spent on the delivery of longer-term projects to improve infrastructure across the Borough.

The Chair reaffirmed the vital need for ward members to be communicated and consulted with regarding the spending of funding related to developments in their wards. The Chair noted an example where a significant amount of funding that had arisen from a development in her ward had spent on a single project where no communication with ward members had been taken place to advise them how and where the funding would be used.

The Chair thanked the Planning Policy Manager and the Head of Neighbourhoods for attending the meeting and answering member questions.

Resolved: -

1. That Cabinet be advised that the recommendations be supported.
2. That further consideration be given to how all elected members can be consulted and engaged with regarding the allocation and prioritisation of Strategic Community Infrastructure Levy funds.
3. That an all-member seminar be delivered in order to provide members with information on the Community Infrastructure Levy, Section106 agreements and on the new processes and protocols for the spending of both Strategic and Local Community Infrastructure Levy funds in their wards.

44. WORK PROGRAMME

The Board considered its Work Programme.

Resolved: - That the Work Programme be approved.

45. FORWARD PLAN OF KEY DECISIONS - 1 SEPTEMBER TO 30 NOVEMBER 2021

The Board considered the Forward Plan of Key Decisions 1 September - 30 November 2021.

Resolved: - That the Forward Plan be noted.

46. CALL-IN ISSUES

There were no call-in issues.

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47. URGENT BUSINESS

There were no urgent items of business.

48. DATE AND TIME OF NEXT MEETING

Resolved: - That the next meeting of the Overview and Scrutiny Management Board will be held at 11am on Wednesday 13 October 2021 at Rotherham Town Hall.