



Council

Wednesday 30 November 2022
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:- Emma Hill, Head of Democratic Services
governance@rotherham.gov.uk

Date of Publication:- **22nd November, 2022**

COUNCIL

Wednesday 30 November 2022 at 2.00 p.m.

THE MAYOR (Councillor Tajamal Khan)
DEPUTY MAYOR (Councillor Robert Taylor)

CHIEF EXECUTIVE (Sharon Kemp)

MEMBERS OF THE COUNCIL

ANSTON AND WOODSETTS

BAUM-DIXON, Timothy J.
WILSON, Tracey H
TARMEY, Drew Simon

ASTON AND TODWICK

BACON, Joshua
BARKER, Aaron

AUGHTON AND SWALLOWNEST

PITCHLEY, Lyndsay
TAYLOR, Robert Paul

BOSTON CASTLE

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

BRAMLEY AND RAVENFIELD

MILLS, Lewis H.M.
REYNOLDS, Gregory

BRINSWORTH

CARTER, Adam J.
CARTER, Charlotte R.

DALTON AND THRYBERGH

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

DINNINGTON

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

GREASBROUGH

ALLEN, Sarah A.
ELLIOTT, Robert W.

HELLABY AND MALTBY WEST

ANDREWS, Jenny
BALL, Simon A.

HOOBER

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

KEPPEL

BROWNE, Tony
CLARK, Maggi
Vacancy

KILNHURST AND SWINTON (EAST)

CUSWORTH, Victoria
SANSOME, Stuart J.

MALTBY EAST

HUNTER, Lee J.
TINSLEY, Adam J.

RAWMARSH EAST

HUGHES, Rachel E.M.
SHEPPARD, David

RAWMARSH WEST

BIRD, Bob
THOMPSON, Jill

ROTHORPE

BROOKES, Amy C.
MIRO, Firas

ROTHORHAM EAST

COOKSEY, Wendy
HALEEM, Rukhsana B.
KHAN, Tajamal

ROOTHERHAM WEST

AVEYARD, Ben
JONES, Ian P.
KEENAN, Eve

SITWELL

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

SWINTON ROCKINGHAM

MONK, Gina
WYATT, Ken

THURCROFT & WICKERSLEY

COLLINGHAM, Zachary A.
COLLINGHAM, Thomas R.

WALES

BECK, Dominic E.
HAVARD, Marnie A.

WATH

ATKIN, Alan
COWEN, Sheila A.

WICKERSLEY NORTH

ELLIS, Sue
HODDINOTT, Emma E.
READ, Chris

Council Meeting Agenda

Time and Date:-

Wednesday 30 November 2022 at 2.00 p.m.

Venue:-

Town Hall, The Crofts, Moorgate Street, Rotherham. S60 2TH

1. FREEDOM OF THE BOROUGH

To bestow the honour of the Freedom of the Borough on Mr Gavin Walker MBE.

2. ANNOUNCEMENTS

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

3. APOLOGIES FOR ABSENCE

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

4. 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.

5. MINUTES OF THE PREVIOUS COUNCIL MEETING (Pages 15 - 50)

To receive the record of proceedings of the ordinary meeting of the Council held on 5th October, 2022, and to approve the accuracy thereof.

6. PETITIONS (Pages 51 - 55)

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

7. 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.

8. 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.

9. 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.

10. LEADER OF THE COUNCIL'S STATEMENT

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

11. MINUTES OF THE CABINET MEETINGS (Pages 57 - 89)

To note the minutes of the Cabinet Meetings held on 20th September and 17th October, 2022.

12. AMENDMENTS TO APPOINTMENT OF MEMBERS TO COMMITTEES, BOARDS AND PANELS (Pages 91 - 94)

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

13. OVERVIEW AND SCRUTINY UPDATE (Pages 95 - 101)

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

14. DRAFT CALENDAR OF MEETINGS FOR THE 2023-24 AND 2024-25 MUNICIPAL YEARS (Pages 103 - 123)

To receive a report from the Head of Democratic Services.

15. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS FOR KILNHURST AND SWINTON EAST (Pages 125 - 126)

To receive updates from ward councillors from Kilnhurst and Swinton East on the activities supporting Thriving Neighbourhoods across the Borough.

16. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS FOR SWINTON ROCKINGHAM (Pages 127 - 128)

To receive updates from ward councillors from Swinton Rockingham on the activities supporting Thriving Neighbourhoods across the Borough.

17. NOTICE OF MOTION - COUNCILS FOR FAIR TAX

To be moved by Councillor Read and seconded by Councillor Griffin:

That this Council notes that:-

1. The pressure on organisations to pay their fair share of tax has never been stronger.
2. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
3. Two thirds of people (66%) believe the Government and local councils should at least consider a company’s ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts to companies.
4. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.
5. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17bn per annum in lost corporation tax revenues.
6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.

That this Council believes that:

1. Paying tax is often presented as a burden, but it shouldn’t be.
2. Tax enables us to provide services from education, health and social

care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.

3. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.
4. Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned.
5. More action is needed, however, as current and proposed new UK procurement law significantly restricts councils' ability to either penalise poor tax conduct (as exclusion grounds are rarely triggered) or reward good tax conduct, when buying goods or services.
6. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

This Council therefore resolves to:

1. Approve the Councils for Fair Tax Declaration.
2. Lead by example and demonstrate good practice in our tax conduct, right across our activities.
3. Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.
4. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
5. As far as possible, to undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.
6. As far as possible, to demand clarity on the ultimate beneficial ownership of suppliers UK and overseas and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.
7. Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
8. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.
9. Support calls for urgent reform of UK procurement law to enable local

authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

18. NOTICE OF MOTION - BAN FRACKING NOW

To be moved by Councillor A. Carter and seconded by Councillor Miro:

This Council notes that:

1. Exploration for fossil fuel reserves that can only be exploited by hydraulic fracturing, or other unconventional methods, undermines action on climate change and diverts resources away from investment in a safe, secure and sustainable low carbon energy future.
2. There are possible significant adverse impacts from both exploratory drilling and industrial scale production of fossil fuels by hydraulic fracturing, including:
 - a) immediate impacts on communities living near deposits.
 - b) serious long-term impacts, over a very wide area, including water shortage, water pollution and air pollution from the extraction process, in addition to the CO produced when the fuel extracted is used - as highlighted by the European Commission and the UN.
3. That council motions prior to the last elections to the borough council have expressed this council's opposition to fracking.
4. In recent months the moratorium that stopped fracking throughout the country – including planned fracking within the Borough at Harthill and Woodsetts – has been under threat as a result of changes proposed by the Conservatives.
5. When Ed Davey MP was Secretary of State for Energy and Climate Change, generation from renewable energy sources almost quadrupled. As Martin Pibworth, managing director at energy firm SSE said, “it is thanks to historic investments in renewable energy the United Kingdom has a more secure energy supply compared with our European neighbours.”
6. That Rother Valley MP, Alexander Stafford was quoted in the Yorkshire Post in July 2022 as saying that calls to resume fracking were “siren songs devoid of reality and practical knowledge” but has since worrying stated that he will now “consider all options when it comes to fracking” (Rotherham Advertiser, October 2022)

This Council believes that:

1. The Government should have legislated a permanent ban on fracking throughout the country.

2. Fracking should not happen in the borough, including but not limited to the sites in Harthill and Woodsetts.

This Council therefore resolves:

1. To reaffirm its belief that fracking is wrong.
2. That council group leaders write to the Secretary of State, the Prime Minister, and the Members of Parliament that represent the Borough of Rotherham asking them to bring forward legislation for a permanent ban on fracking.
3. That Council group leaders write to the MP for Rother Valley, asking him to clarify his views on Fracking within the borough.

19. NOTICE OF MOTION - COST OF LIVING AND ENERGY CRISIS

To be moved by Councillor Tarmey and seconded by Councillor C. Carter:

That this Council:

1. Recognises we are in the middle of the worst cost-of-living crisis in 50 years, with record breaking inflation (forecast to hit of 22.4 per cent next year) and spiralling energy costs leaving many people in Rotherham struggling to pay their household bills.
2. Recognises that high inflation, increased energy prices, and the cost-of-living crisis disproportionately affect residents with lower household incomes, as they spend a higher proportion of their disposable income on household bills and essentials like groceries.
3. Notes the decision taken in June 2022, by the then Chancellor, to impose a Windfall Tax on the profits of giant oil and gas companies for the purpose of providing limited financial support for energy bills.
4. Regrets that the Government recently decided to fund additional support for consumers in recent months through additional borrowing rather than from the record-breaking annual profits made by energy companies.
5. Notes that on 1st April 2022 and 1st October 2022, Ofgem increased the energy price cap by 54 per cent and 27 per cent respectively. This increased the average energy bill for a 'typical household' well beyond the support provided by Government (by £693 in April and £529 in October).
6. Notes that increases in the cost of energy for the residents and business of Rotherham are likely to occur in 2023 which will further compound the already disastrous impact of the cost-of-living crisis on our area; pushing thousands of local people deeper into poverty.

That this Council recognises the numerous ways in which both National and Local Government can provide support to local people to ease the burden of rising prices and fuel poverty.

Therefore, this Council resolves to:

1. Call on the South Yorkshire Mayoral Combined Authority to hold a Cost-of-Living Emergency Summit with stakeholders including Citizens Advice, Food Banks, Local Trade Unions, Chambers of Commerce, local councils, and local MPs to explore how more local help can be provided for those struggling with the cost of living – including extending the use of discretionary payments.
2. Ensure that free-to-access warm spaces are available within local communities over the winter months for vulnerable residents. Working with Parish Councils and the voluntary sector where required to encourage facilities such as 'village halls' to be open for this purpose.
3. Investigate the feasibility bringing forward some planned improvements in the energy efficiency of council owned housing stock and all other buildings operated by the council.
4. Require an assessment of all building management systems and user-controlled heating systems to be set to heat spaces to the minimum comfortable temperature commensurate with the use of the space (with necessary exceptions where required due to health of individuals or the nature of the service being provided).
5. Reduce the use of energy for lighting council owned buildings at times when spaces are unoccupied and implement dimming of street lighting where safe and considered appropriate by elected members in each ward.
6. Ask Group Leaders to write to the Secretary of State for Work and Pensions, expressing the council's desire for the Government to:
 - a. Immediately reduce the standard rate of VAT from 20 per cent to 17.5 per cent for one year, saving the average household in Rotherham a further £600 this year
 - b. Immediately restore the Universal Credit supplement of £20, which was cancelled by the Government in September 2021.
 - c. Extend Fuel Duty Relief to cover Rotherham and double it to save local people 10p per litre on petrol.

20. NOTICE OF MOTION - ROTHERHAM COUNCIL BYELAWS (Pages 129 - 142)

To be moved by Councillor Tinsley and seconded by Councillor Z. Collingham:

Byelaws are local laws that govern what can and cannot be done in a public

area, with a fine for contravening the byelaw. Byelaws can be displayed on notices and enforced by an officer of the local authority or by the police, through magistrates' court.

Byelaws do not create additional work for council enforcement officers and police, but instead give these another tool to use when they encounter problems or anti-social behaviour in our communities. It is expected that they would use their discretion when a byelaw is broken.

Rotherham Council has enacted byelaws covering Ulley Country Park, Thrybergh Country Park, Rother Valley Country Park and the Good Rule and Government of the Borough, but these byelaws are old and have limited scope (see example in Appendix A).

The Ministry of Housing, Communities and Local Government (MHCLG) publishes a series of 'model byelaws' which local authorities can use to address issues not sanctioned by other legislation. It is intended that local authorities delete / add to the model byelaws to ensure they are locally relevant. Examples of model byelaws and some of the issues they can address are:

- **Pleasure grounds, public walks and open spaces:** This can be enacted in parks and other public spaces to protect plants and wildlife from harm; prohibit the damage or misuse of life saving equipment; prohibit fires; regulate horse riding, cycling, and vehicles; determine acceptable use of play equipment; and/or prohibit swimming.
- **Pleasure fairs:** This can be enacted to regulate the opening hours, cleanliness, provision of toilets, etc of fairgrounds.
- **Good rule and government:** This can be enacted across the borough to prohibit the damage or misuse of life saving equipment; prohibit dangerous games near roads; prohibit driving or parking on road margins/verges; and/or prohibit urination in public (Appendix B)
- **Markets:** This can be enacted to regulate markets, including market days and hours, prohibiting vehicle obstruction, and/or enforcing cleanliness.

Therefore, this Council resolves to:

1. Review existing byelaws with a view to revoking and replacing them as appropriate.
2. Bring forward a draft byelaw or byelaws to prohibit removing, displacing, damaging or otherwise interfering with lifesaving equipment across the borough.
3. Consider enacting new byelaws to prohibit other specific undesirable behaviour in public spaces.
4. Consult with police, councillors, parish and town councils, and other

partners to identify behaviours and public spaces where byelaws could be useful and complete this consultation process within four months.

5. Implement a regular system of review for local byelaws, to ensure byelaws are revoked and/or replaced when they are no longer useful.
6. Where it is thought that a Public Space Protection Order (PSPO) would be a more effective tool than a byelaw, proceed with a PSPO.

21. AUDIT COMMITTEE (Pages 143 - 150)

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

To confirm the minutes as a true record.

22. HEALTH AND WELLBEING BOARD (Pages 151 - 167)

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

To confirm the minutes as a true record.

23. LICENSING BOARD SUB-COMMITTEE AND LICENSING COMMITTEE (Pages 169 - 190)

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.

24. PLANNING BOARD (Pages 191 - 194)

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

To confirm the minutes as a true record.

25. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

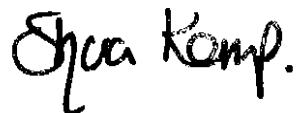
To put questions, if any, to the designated Members on the discharge of functions of the South Yorkshire Police and Crime Panel, South Yorkshire Fire and Rescue Authority, Barnsley, Doncaster, Rotherham and Sheffield Combined Authority and South Yorkshire Pensions Authority, in accordance with Council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

26. 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).

27. URGENT ITEMS

Any other public items which the Mayor determines are urgent.

A handwritten signature in black ink that reads "Sharon Kemp". The signature is fluid and cursive, with "Sharon" on the top line and "Kemp" on the bottom line.

SHARON KEMP,
Chief Executive.

**The next meeting of the Council will be on
INSERT DATE at 2.00 p.m.**