



Council

Wednesday 18 January 2023
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:- **10 January 2023**

COUNCIL

Wednesday 18 January 2023 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

ROTHER VALE

BROOKES, Amy C.
MIRO, Firas

ROTHERHAM EAST

COOKSEY, Wendy
HALEEM, Rukhsana B.
KHAN, Tajamal

ROTHERHAM 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 18 January 2023 at 2.00 p.m.

Venue:-

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

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 9 - 69)

To receive the record of proceedings of the ordinary meeting of the Council held on 30th November, 2022, and to approve the accuracy thereof.

5. PETITIONS

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

6. DECLARATIONS OF INTEREST

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

7. PUBLIC QUESTIONS

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

8. EXCLUSION OF THE PRESS AND PUBLIC

Should it be necessary, in the opinion of the Mayor, to consider excluding the

press and public from the meeting in relation to any items of urgent business on the grounds that private information is likely to be divulged.

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 71 - 93)

To note the minutes of the Cabinet Meetings held on 21st November and 19th December, 2022.

11. MEMBERS ALLOWANCE SCHEME REVIEW - APPOINTMENT OF THE INDEPENDENT REMUNERATION PANEL (Pages 95 - 100)

For Council to note that the Independent Remuneration Panel will be convened to review the Members' Allowances scheme of the Council with a view to reporting its findings to a future Council meeting.

12. MEMBERSHIP OF POLITICAL GROUPS ON THE COUNCIL, POLITICAL BALANCE AND ENTITLEMENT TO SEATS (Pages 101 - 108)

To report on changes to political groups, the political balance of the Council and the entitlement of each group to seats on the Authority's committees and to consider the appointment of members to the Council's committees, boards and panels.

13. OVERVIEW AND SCRUTINY UPDATE (Pages 109 - 118)

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

14. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS FOR HELLABY AND MALTBY WEST (Pages 119 - 120)

To receive updates from ward councillors from Hellaby and Maltby West on the activities supporting Thriving Neighbourhoods across the Borough.

15. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS FOR MALTBY EAST (Pages 121 - 122)

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

16. AUDIT COMMITTEE (Pages 123 - 133)

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

To confirm the minutes as a true record.

17. LICENSING BOARD, LICENSING BOARD SUB-COMMITTEE AND LICENSING SUB-COMMITTEE (Pages 135 - 150)

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

To confirm the minutes as a true record.

18. PLANNING BOARD (Pages 151 - 154)

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

To confirm the minutes as a true record.

19. STAFFING COMMITTEE (Pages 155 - 156)

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

To confirm the minutes as a true record.

20. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

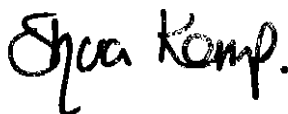
To put questions, if any, to the designated Members on the discharge of functions of the South Yorkshire Police and Crime Panel, South Yorkshire Fire and Rescue Authority, Barnsley, Doncaster, Rotherham and Sheffield Combined Authority and South Yorkshire Pensions Authority, in accordance with Council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

21. 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).

22. 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
1 March 2023 at 2.00 p.m.**

COUNCIL MEETING
30th November, 2022

Present:- Councillor Tajamal Khan (in the Chair); Councillors Taylor, Alam, Allen, Andrews, Atkin, Aveyard, Bacon, Baker-Rogers, Ball, Barker, Beck, Bennett-Sylvester, Bird, Browne, Burnett, A Carter, C Carter, Clark, T. Collingham, Z. Collingham, Cooksey, Cowen, Cusworth, Elliott, Ellis, Fisher, Griffin, Haleem, Havard, Hoddinott, Hughes, Hunter, Jones, Keenan, McNeely, Mills, Miro, Monk, Pitchley, Read, Reynolds, Roche, Sansome, Sheppard, Tarmey, Tinsley, Whomersley, Wyatt and Yasseen.

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

83. FREEDOM OF THE BOROUGH

At the meeting of Council on 12th January, 2022, it was resolved:

That in pursuance of the provisions of Section 249(5) of the Local Government Act 1972 and in recognition of his outstanding service to sport as an Olympic Gold Medallist Paralympian and inspiration to others facing adversity through life changing events, Gavin Walker MBE, be admitted as an Honorary Freeman of this Borough.

The Mayor stated that to be granted the title of an Honorary Freeman was a mark of distinction upon the person whom the Council wished to honour and something that had been established since 1885 as the highest honour which our Council can bestow. Awards were not just for a job well done, they were awarded because an individual had 'gone the extra mile' in the contribution they had made or stand out 'head and shoulders' above others in what they have achieved. Mr. Gavin Walker MBE had done just that for his outstanding service to sport as an Olympic Gold Medallist Paralympian and inspiration to others facing adversity through life changing events.

The Mayor was delighted to be able to celebrate this award of Honorary Freeman of the Borough with Mr. Walker MBE who was present at the meeting. A civic reception had taken place prior to the meeting

The Mayor read the following citation:

Members, in exercise of the powers conferred by Section 249(5) of the Local Government Act 1972, and pursuant to a resolution passed at the Council meeting held on 12th January, 2022, the Council hereby admits:

Mr. Gavin Walker MBE as an honorary Freeman of the Borough of Rotherham.

Mr. Walker MBE was then invited to sign the Roll of Honorary Freeman along with the Mayor and Chief Executive of the Council. He was then presented with the framed illuminated address and pendant.

Mr. Walker MBE responded by saying that he hoped the Freeman of the Borough award, along with his MBE and gold medal, would encourage people with life-changing injuries to take up sport and move forward from a traumatic accident.

84. ANNOUNCEMENTS

The Mayor welcomed everyone to the meeting. A full update on Mayoral activity since the last meeting was included in Appendix A to the Mayor's Letter. The Mayor highlighted some specific events during the meeting which included attendance at the Women's Euro 2022 celebration event; attendance at the South Yorkshire District Trafalgar Day Parade; the celebration of Black History Month and a tour of the Town Hall by the 27th Rotherham Scouts.

The Mayor had also joined the Lord Lieutenant of South Yorkshire at Wentworth Woodhouse for the late Queen's Green Canopy Tree Gifting award presentation and tree planting ceremony.

November had included events to commemorate Armistice Day and Remembrance Sunday. Numerous events had been attended by the Mayor and Deputy Mayor across Yorkshire.

The Mayor passed on his most sincere sympathies to the family of retired Lieutenant Commander Allen Dixon who had died at the age of 87 and who had been awarded the Freedom of the Borough of Rotherham in 2013. Lieutenant Commander Dixon had played a key role in the Borough and in the Armed Forces community.

Towards the end of November, the Mayor had attended the Council's Big Hearts, Big Changes Employee awards, switched on the Christmas lights in All Saint's Square and Wath Upon Dearne and had attended a performance of the Rotherham Symphony Orchestra at Rotherham Minster.

85. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barley, Baum-Dixon, Brookes, Castledine-Dack, Lelliott, Thompson and Wilson.

86. COMMUNICATIONS

There were no communications received.

87. MINUTES OF THE PREVIOUS COUNCIL MEETING

At the meeting, a correction to the Minutes was requested by Councillor Andrews regarding her attendance. Councillor Andrews should have been included in the list of Members present at the last meeting.

Councillor Bennett-Sylvester advised that he had received a response from Councillor Brookes in relation to Minute No. 67.

Resolved:-

That the Minutes of the meeting of Council held on 5th October, 2022, as corrected, be approved for signature by the Mayor.

Mover:- Councillor Read

Seconder:- Councillor Allen

88. PETITIONS

The Mayor introduced the report and confirmed the receipt of one petition since the last Council meeting:

- Containing 23 signatures, a petition was received requesting that the Council “hold a public debate about the progress the Council has made in tackling Child Sexual Abuse (CSA) since the Jay Report in 2014.”

The lead petitioner was not in attendance at the meeting.

Resolved:-

- 1) That the report be noted.
- 2) That the relevant Strategic Director be required to respond to the lead petitioner, as set out in the Petition Scheme, by Wednesday, 14th December, 2022.

89. DECLARATIONS OF INTEREST

There were no declarations of interest.

90. PUBLIC QUESTIONS

- 1) Mr. Eric Shaw – Other areas have had safety and speeding issues implemented but nothing yet in the Broom area. Could the Council address safety and speeding concerns on our roads?

Councillor Beck thanked Mr. Shaw for attending the meeting to raise this question on the important issue of road safety. When the Council review collision hotspots every year, the Broom area had not, in the last couple of years, come up. However, the Council have, very

recently, set aside some funding for local Neighbourhood Road Safety Schemes. The Broom area fell within the Boston Castle Ward which was an area for potential investment over the coming year or two. Councillor Beck asked Mr. Shaw to use this opportunity to liaise with his Ward Councillors (Councillors Alam, McNeely and Yasseen) who would have an integral role in deciding where that investment would fall. Broom could, therefore, benefit from that investment moving forward. There was a chance in the coming months and year that there would be the opportunity for some improvements to help with road safety in Broom.

- 2) Mrs. Jane Patching – Environmentally friendly options are available for a path providing a safer alternative for cyclists without causing disruption to other traffic and locals. The effect of increased traffic on residential roads, like Boswell Street, as drivers avoid delays caused by the proposed route, has been ignored. Why haven't the views of residents and alternative pathways across Herringthorpe Playing fields been considered?

Councillor Beck thanked Mrs. Patching for her question. He explained that he understood the proposed cycle route to be on Broom Road. As with most other roads in the Borough, under the Cycling Strategy and indeed the expectation of Government, cyclists had a right to safety on and enjoyment of the highway, just as much as motorists and pedestrians. That had been the centrepiece of the public consultation that was delivered towards the end of 2021 where the Council engaged with residents in that area. There was over 100 responses received and the predominant view was in favour of the Scheme.

However, Councillor Beck did take on board the thrust of the question about the use of parks and Herringthorpe Valley park specifically for use of cyclists. The main problem with that in this case was that the whole driver for the Scheme was connectivity with the Town Centre along Wellgate and then onto Broom Road for cyclists. With the use of Herringthorpe Valley playing fields and the location of the roundabout, it was felt that there would be a problem with that.

In summary, the Council has been keen over the last few years, where Government funding has come along, to create safe spaces for cyclists, particularly in and around the town centre. This Council has wanted to embrace those opportunities, and this was the case for Broom Road. The Council did understand residents' viewpoints and they have purposefully sought to take onboard the views of all residents as the work has been undertaken.

In her supplementary, Mrs. Patching stated that she understood totally what was being said about needing to provide safe spaces for cyclists. However, she disagreed that the route proposed was the safest way of getting people down Broom Road and into the Town Centre. Mrs.

Patching asked how many and who was expected to benefit from the proposed route, because in her opinion, it was not the residents?

Councillor Beck explained that he believed there were cyclists in and around Broom Road that would benefit but, as well, there were cyclists all around the Borough who potentially work in the Town Centre. There were thousands of people that work in the Town Centre, and they would benefit from cycleways. However, Councillor Beck did take on board the points raised.

- 3) Ms. Shazia Yousaf - Why are Council Officers refusing to meet with Rotherham Muslim Burial Council about the Herringthorpe Cemetery managed by Dignity on behalf of Rotherham Council?

Councillor Alam explained that where issues raised by the Rotherham Muslim Burial Council relate to operational matters, it is appropriate that Dignity meet with them to address these issues directly. It is not appropriate for the Council to be involved in the day-to-day operation of Dignity's business, but to retain an overview of the problems encountered and Dignity's responses via monthly performance meetings and quarterly contractual meetings. Dignity was challenged at these quarterly meetings.

In her supplementary, Ms. Yousaf stated that Council had a responsibility to the community and to address them directly. The Council's contract was with Dignity but the community's contract was not with Dignity. She asked Councillor Alam to clarify.

Councillor Alam explained that in the past there had been a grey area between monitoring the contract and engagement. Dignity are the service providers and as such they need to engage with the community across the Borough. The Council's role was to monitor the contract and performance which it had been doing since responsibility had transferred to the Legal Service.

- 4) Mr. Saghir Hussain - When was RMBC made aware of the issue of flooding at East Herringthorpe Cemetery - which date month and year will suffice?

Councillor Alam stated that the issue at the Cemetery with the groundwater levels was raised publicly in April 2022. They were raised at the public meeting held at the Town Hall on 13th June. Dignity and the Council engaged with the community in relation to groundwater levels. As part of focused investigations Dignity commissioned Clancy Consulting Limited to carry out a full site investigation into these matters in October 2022, with the Council being informed of progress at each stage.

In his supplementary, Mr. Hussain stated that he had evidence to contradict the claim that the Council had only been made aware of the issue this year. Councillor Alam was asked to respond.

In his response, Councillor Alam stated that [issues with ground water] in the new section had been brought to his attention on Good Friday and he had met with Mr. Hussain after Friday prayers. Since then there had been a lot of action regarding how to address the issue of ground water flooding.

- 5) Ms. Nida Khan – What are the Council's responsibilities in managing the Dignity (CMG) contract for Rotherham Cemeteries?

Councillor Alam explained that the Council, as the commissioning body, are responsible for the performance management of the contract between the Council and Dignity. Performance is monitored across 54 key performance targets at monthly performance meetings between Dignity and Council Officers.

In her supplementary, Ms. Khan stated that she had lost her mum to Covid over 8 months ago, after which she spoke at a RMBC meeting. She thanked Councillor Read for letting her speak and explain the situation. However, since then it had been a nightmare. The experience within the graveyard had been indescribable for Ms Khan, her family and her community. The family were learning to come to terms with the passing of their family member, but they could not move on because of the state of the graveyard. The Council was fully aware, and Ms. Khan stated that she had informed Councillor Read that he was being misled and being given incorrect information. Councillor Read had stated that the people with responsibility for doing those jobs would be doing those jobs. The Council was refusing to talk to the community, they were not supporting them and every time they went to Dignity with a question about the day-to-day running or about arranging funerals; they are told that they cannot respond because they need approval from the Council. Every question taken to Dignity is then brought back to the Council for the Council to make a simple decision on what time they are going to bury someone. The Council won't meet with the community, but they should meet with the people of Rotherham. The Council say it is Dignity's responsibility but Dignity hide behind the Council.

Ms. Khan stated that it was not good enough to just read off a piece of paper and say the Council was managing the contract. Unfortunately there had been no presence from Rotherham Borough Council at the graveyard. The Police had been called on the Muslim community for just standing at the graveyard and it had been an uphill struggle to bury the dead.

Ms. Khan's question was who can people talk to? Will the Council meet with the community or not?

Councillor Alam explained that he did share the concerns as a number of his family members were buried at the graveyard in question. In the past it has been admitted that the contract had not been managed properly. Dignity acknowledged this in the public meeting. However, now officers were meeting Dignity on a monthly basis and the project liaison group were meeting on a quarterly basis to ensure that Dignity delivered. The Council had the option of imposing financial penalties, and it was said in April and being repeated now that the Council would operate a zero tolerance approach to the contract. It was a very important service across the Borough and vital that residents had a first class service.

Councillor Alam agreed to speak with Ms. Khan outside of the meeting.

- 6) Mr. Arshad Mahmood – Could the Council please inform the members of the public as to how long ago they became aware of the below and above ground water issues that have severely impacted East Herringthorpe Cemetery, especially the Muslim burial section?

Councillor Alam stated that the issue at the Cemetery with the Ground water levels was first raised publicly in April 2022. This was at the public meeting held at the Town Hall on 13th June. Dignity and the Council engaged with the community in relation to groundwater levels.

In his supplementary, Mr. Mahmood stated that the work that had been done since April was the result of significant pressure from the community and not thanks to the Council or Dignity. The Council and the Muslim community in 2012 commissioned the EH group to access the water problem at East Herringthorpe. However, when Mr. Mahmood had tried to locate this, he had been told that it did not exist. The Council are now fully aware of the fact that many of those graves are completely waterlogged. There was evidence and the community had been knocking on Dignity's door and the Council's door for years, if not decades, but no action has ever been taken. It was irresponsible of the Council.

Mr. Mahmood asked the Council not to take credit for the work that had been carried out. He again asked when the Council became aware of the issue because, in his opinion, it certainly was not in 2022?

Councillor Alam explained that he had not been a Councillor in 2012 but confirmed that the Council had put a lot of pressure on Dignity. They had challenged them over the Summer of 2022 to sort the drainage system for September 2022. Officers had gone out of their way to challenge Dignity. Because of the commercially sensitive nature of the contract, Councillor Alam could not discuss certain issues publicly but he wanted to assure Mr. Mahmood that the Council was

actively managing the contract with a zero tolerance approach. Every avenue and possible sanction would be explored to continue that challenge.

- 7) Mr. Arshad Azam – Given the cemeteries across the Borough are reaching their capacity, what is the long term strategic solution that the Council has in providing adequate and suitable land to bury the deceased?

Councillor Alam explained that as part of the contract signed 2008, a long term year burial plan for 35 years has to be produced by Dignity.

In his supplementary, Mr. Azam stated that there was a planning application currently going through the process for land adjacent to the public section at East Herringthorpe cemetery. Previously, Labour Councillors had indicated that the land was solely for the use of the Muslim community. He asked if the Council could confirm whether that land would be used solely for Muslim burials or had the Muslim community been deceived again?

Councillor Alam stated that the expansion was for the whole community but there would be a section within the expansion exclusively for Muslim burials.

91. EXCLUSION OF THE PRESS AND PUBLIC

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

92. LEADER OF THE COUNCIL'S STATEMENT

The Leader stated that since the last meeting:

- The Council's Housing service had received TPAS 'exemplar' status for its engagement with tenants.
- The Council was out to consultation on the Towns and Villages Fund investment in Aughton and Swallownest, and it had completed the scheme in Maltby West and Hellaby.
- Works on Forge Island were underway.
- More than a thousand children attended the celebration of the Summer Reading challenge at Magna.
- Cabinet had approved the building of a new Day Service building for Adults with Learning Disabilities in Canklow.
- The Council had confirmed plans for the £8m revamp of the middle of Swinton.
- Clifton Park Museum had won a Visit England accolade.
- Herringthorpe Stadium had officially re-opened after its recent improvements.
- Two parts of the town centre flood defences had also opened.

- Keppel's Column was no longer on the Heritage At Risk Register.
- The Council celebrated Living Wage Week and the thousands of local people who had had a pay rise because the Council committed to it.
- The annual LEAF careers fair at Magna was held and Professor Brian Cox was welcomed back for the North Star Science Summer School, and to turn the Christmas lights on.
- The Christmas toy appeal for children who might otherwise go without this December had been launched.
- The new bin app had been launched.
- The programme of Warm Welcome venues through the winter had been developed.

In response to the statement, Councillor Bennett-Sylvester asked a question in relation to the Living Wage Accreditation and the Social Care crisis. The crisis affected all aspects of life, from housing to safeguarding etc. He asked what impact the Living Wage Accreditation was having on the retention of Social Care staff?

The Leader explained that the evidence on retention would be fairly slim at this stage. It was a mixed and developing picture in terms of implementing the Living Wage amongst Social Care and the Social Care workforce. Personal Assistants in both Children and Adult Social Care should be benefitting from the Living Wage implementation that was budgeted for this year. There were contracts within the commissioning of Adult Social Care, including contracts around homecare, where it was paid. However it had not kicked though to all elements of the provision, for example when residential care beds were spot purchased. The picture on retention would continue to develop over time.

The national evidence was that, across a range of sectors, if people were earning enough money to have a reasonable standard of living, they were much more likely to stay in that employment. That was because it gave them security around their work life and home life.

93. MINUTES OF THE CABINET MEETINGS

Councillor Bennett-Sylvester referenced Minute No. 41 on page 59 of the agenda pack and Minute No. 54 on page 74 of the pack and asked the following questions:

1. Regarding the July Financial Update, would Members be able to participate and make sure budget proposals were properly tested and would not be expected to vote on budgetary amendments from the Opposition that would be provided an hour or 2 before the meeting like in 2022?

2. Regarding day opportunities for people with High Support Needs, could the Cabinet Member comment on the consultation and what was the impact of inflation on the budget?

The Leader explained that the budget in-year, which then continued to be the challenge faced in future years, was significant at a time when it was hoped that austerity was over. The Council had started to see the beginning of green shoots again but unfortunately that could not continue. There was at least £10 million of budget pressures that were just things that had happened to the Council: the national pay award; the energy crisis and inflation. The anticipated overspend was now over £18 million and it could not stay at £18 million pounds. The Leader agreed with Councillor Bennett-Sylvester that it would have been reckless to take out £4 million from the reserves last year as proposed by the Opposition.

The Autumn statement brought a little relief in terms of Adult Social Care but provided very little else. That meant that the Council would have to take some tough decisions when it came to setting the next budget. The Leader confirmed that budget proposals would come through scrutiny in the proper way in the weeks leading up to the budget and Members would therefore have the opportunity to engage with, question and challenge those proposals and the assumptions that underlie them. The Leader, however, could not confirm that Opposition Members would not bring forward budget amendments late in the day. The Leader stated that the budget setting was a really difficult position and that meant that residents in the Borough would live, one way or another, with the consequences of the decisions made in Westminster. The Council could not afford to continue to deliver all of the services in the way in which they were currently delivered whilst maintaining the current level of Council Tax and the current level of fees and charges. That would be challenging but the Council would work to minimise the impact on residents and their pockets, but it would be a difficult few months.

Councillor Roche responded to the second question by explaining that a few months ago, he had been very confident that the funding for the project was secure. However, since the country's financial situation was now in disarray due to "trussonomics" and the Chancellor was calling for another period of austerity, it would be difficult. However, Councillor Roche was committed to doing everything he could to get the new project built to the appropriate standard for the benefit of residents by working with Cabinet to secure the funding.

In relation to the consultation, Councillor Roche stated that he was very happy with where the new site was. Some preliminary work had been done with the residents and it was understood that there was a good community spirit in that area. From this stage onwards, work would be done by co-production with the community, service users and potential future service users.

Resolved:-

That the reports, recommendations and minutes of the Cabinet meetings held on 20th September and 17th October, 2022 be received.

Mover:- Councillor Read

Seconder:- Councillor Allen

94. AMENDMENTS TO APPOINTMENT OF MEMBERS TO COMMITTEES, BOARDS AND PANELS

Consideration was given to the report which asked Council to agree the amendments to the nominations of Members to serve on the Committees, Boards and Panels as listed below:

- Health Select Commission – Councillor Elliott to be removed
- Licensing Committee – Councillor Ball to be removed
- Licensing Board – Councillor Ball to be removed
- Mayoral Combined Authority Audit and Standards Committee – Councillor Ball to be removed

Resolved:-

That Council agree the amendments to the nominations of Members to serve on the Committees, Board and Panels as listed above.

Mover:- Councillor Allen

Seconder:- Councillor Read

95. OVERVIEW AND SCRUTINY UPDATE

Consideration was given to the report which sought to update Council on the recent scrutiny work of the Improving Lives Select Commission along with a summary of its Work Programme for 2022-23. Since the start of the Municipal Year, the Commission had focussed on Child Exploitation, Children and Young People's Service performance outturn, Adult Safeguarding performance and Special Educational Needs and Disability provision. Future work would include activity on Adult and Children's Safeguarding with relevant partners being invited to give account of performance in those areas.

Members of the Commission were also invited to attend a special meeting of OSMB held on 27th May, 2022 to discuss the outcomes of the independent reports into Child Sexual Exploitation undertaken by a team commissioned by the Rotherham Safeguarding Children's Partnership and received by Council on 13th May, 2022. Members were able to question the report authors' findings in-depth to establish how they had arrived at their conclusions and what evidence had been considered. The Review Team provided assurance that there are robust partnership processes in place to address concerns when they came in. Evidence had been provided to support that conclusion.

It was expected that the next meeting of the Improving Lives Select Commission would focus on the outcomes of the OFSTED inspection and the draft action plan. An update of the progress in the implementation of the recommendations arising from the scrutiny review of Post-Abuse Support would be presented to the Commission at a meeting early in 2023.

The Improving Lives Commission had been asked to be involved in a Local Government Association learning and development progress that was part of a wider national pilot to strengthen scrutiny of Children's Services. The outcomes of the workshop were being built into the scrutiny work programme.

Speaking in support of the report, Councillor Pitchley, Chair of the Improving Lives Select Commission, highlighted the importance of pre-decision scrutiny as this had led to reviews of 2 major strategies: the draft Looked After Children and Care Leavers Sufficiency Strategy 2023-2028 and the Early Help Strategy. Councillor Pitchley also praised the joint working that had taken place with other Commissions and partners. Councillor Pitchley thanked her Vice-Chair, Councillor Cooksey, Members of the Commission, officers and partners for the work done so far.

Resolved:-

That the report be received and noted.

Mover:- Councillor Clark

Seconder:- Councillor T. Collingham

96. DRAFT CALENDAR OF MEETINGS FOR THE 2023-24 AND 2024-25 MUNICIPAL YEARS

Consideration was given to the report which presented the draft calendar of meetings for the 2023-24 and 2024-25 Municipal Years. The Council amended the Procedure Rules in the Constitution in September 2017 to require the Calendar of Meetings to be presented for approval at the Budget Council meeting. Following feedback from Members, it was agreed that a report be presented in advance of the Budget Council meeting, setting out the draft Calendars for the next 2 Municipal Years. This was to enable Members to have advanced notice of when meetings would take place.

At the Budget Council meeting in March 2023, the 2023-24 Calendar would be presented for approval. Members would also be asked to note the indicative 2024-25 Calendar. The 2024-25 Calendar was titled 'indicative', since the Bank Holidays and school holidays for this time period had yet to be confirmed and as such, changes could be required.

Members debated the need for more flexibility with meeting start times along with the advantages and disadvantages of evening meetings.

Resolved:-

1. That Council note the Draft Calendar of Meetings for the 2023-24 and 2024- 25 Municipal Years.
2. That, in accordance with the Council Procedure Rules (Part 1 – Council Meetings; Section 4 – Budget Council Meeting,) a report be brought back to Council at the Budget Council Meeting in March 2023 to formally approve the Calendar of Meetings for the 2023-24 Municipal Year and the indicative Calendar of Meetings for the 2024-25 Municipal Year.

Mover:- Councillor Allen

Second:- Councillor Read

**97. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD
COUNCILLORS FOR KILNHURST AND SWINTON EAST**

Further to Minute No. 55 of the meeting of the Cabinet held on 19th November, 2018, consideration was given to the annual Ward updates for Kilnhurst and Swinton East as part of the Thriving Neighbourhood Strategy.

The Strategy signalled a new way of working for the Council both for Members and for staff and covered every Ward in the Borough delivered through Ward Plans developed with residents to address local issues and opportunities. Ward Members were supported by the Neighbourhood Team and worked with officers and residents from a range of organisations to respond to residents.

Update reports had been provided as part of the agenda. However, each Ward Member was invited to speak.

Councillors Cusworth and Sansome provided an update on activities in Kilnhurst and Swinton East ward:-

- There were 5 Ward priorities:
 - Every child making the best start in life
 - Every adult secure, responsible and empowered
 - A strong community in a clean, safe environment
 - Extending opportunity, prosperity and planning for the future
 - Support for the cost of living crisis
- A Santa's grotto was held for the most deprived communities during Christmas 2021. Children were able to receive a free gift at no cost to families. This event also helped community cohesion. This event would be repeated for 2022 and also extended to another area of the Ward with high deprivation.
- Funding had been provided for hot drinks at the library which was acting as a warm space.

- 75 warm packs had been purchased to be distributed to the most vulnerable residents.
- A multi-agency meeting had been set up to understand and tackle anti-social behaviour in the precinct and library area.
- Regular advice surgeries were held.
- A school crossing patrol was organised by Councillor Sansome along with Councillor Wyatt on a voluntary basis to allow the school more time to recruit a permanent crossing warden.
- Councillor Sansome had also been the local Santa, visiting all areas of the Ward during the Covid pandemic.

Councillors Cusworth and Sansome placed on record their thanks to the Neighbourhood and Housing Officers along with partners for enabling them to carry out the above mentioned activities.

Resolved:

That the report be noted.

Mover: Councillor Cusworth

Seconder: Councillor Sansome

98. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS FOR SWINTON ROCKINGHAM

Further to Minute No. 55 of the meeting of the Cabinet held on 19th November, 2018, consideration was given to the annual Ward updates for Swinton Rockingham as part of the Thriving Neighbourhood Strategy.

The Strategy signalled a new way of working for the Council both for Members and for staff and covered every Ward in the Borough delivered through Ward Plans developed with residents to address local issues and opportunities. Ward Members were supported by the Neighbourhood Team and worked with officers and residents from a range of organisations to respond to residents.

Update reports had been provided as part of the agenda. However, each Ward Member was invited to speak.

Councillors Wyatt and Monk provided an update on activities in Swinton Rockingham Ward:-

- There were 5 Ward priorities:
 - Environment improvements
 - Enhancing facilities and activities for children and young people
 - Community facility/activities including celebrating local heritage
 - Addressing crime and anti-social behaviour
 - Support for the cost of living crisis

- A number of trees had been planted to remember those lost or who suffered hardship in the Ward during the Covid-19 pandemic, for the Queen's Jubilee and in memory of Her Majesty the Queen.
- There was a regular team of litter pickers.
- A big focus was also on crime including preventing theft and speeding.
- A number of events had taken place. These included an event for the 100th anniversary of the War Memorial and celebrations for the Jubilee.
- A Christmas tree had been donated from the private sector and a number of other private companies contributed to improvements in the Ward.
- There would be a Christmas grotto in the Ward.
- Work was ongoing with the Foodbank.
- Television's had been rehomed to those in need.
- Regular community skip days were held.
- Library activities were also held along with Ward walkabouts and sporting activities.
- Improvements had been made to Thomas Street Park.
- A Teddy Bears Picnic was organised for the summer holidays.

Councillors Wyatt and Monk placed on record their thanks to the Neighbourhood and Housing Officers along with partners for enabling them to carry out the above mentioned activities.

Resolved:

That the report be noted.

Mover: Councillor Wyatt

Seconder: Councillor Monk

99. NOTICE OF MOTION - COUNCILS FOR FAIR TAX

It was 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 multi-national 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.

It was noted during the meeting that an administrative error had led to points 6,7,8 and 9 from the resolution being omitted at publication. Members had been made aware of this error prior to the meeting and given additional time in which to raise amendments. However, no amendments had been received.

Resolved:-

On being put to the vote, the motion was declared as carried.

Mover:- Councillor Read

Seconder:- Councillor Griffin

100. NOTICE OF MOTION - BAN FRACKING NOW

It was 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 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.

It was then moved by Councillor Z. Collingham and seconded by Councillor T. Collingham that the motion be amended as follows:

This Council notes that:

1. **DELETE:** 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. **DELETE:** 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. **DELETE:** 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. **DELETE:** 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).

INSERT:

3. The Government maintains a moratorium on fracking.
4. Rother Valley MP, Alexander Stafford, has consistently campaigned against fracking and voted against it in Parliament.

5. the Secretary of State for Levelling Up, Housing and Communities, Michael Gove, refused permission to test fracking in Woodsetts in June 2022, in a decision that the Campaign to Protect Rural England said 'now firmly shuts the door' on fracking (CPRE, 8 June 2022).

DELETE: 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 resolves:

1. **DELETE:** To reaffirm its belief that fracking is wrong.
2. **DELETE:** 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. **DELETE:** That Council group leaders write to the MP for Rother Valley, asking him to clarify his views on Fracking within the Borough.

INSERT:

1. To reaffirm its opposition to fracking in the Borough.
2. To reiterate its support for the Government moratorium on fracking and refusal of permission for fracking in Woodsetts.
3. That the Group Leaders write to Alexander Stafford MP, asking him to continue his opposition to fracking in Rother Valley.

On being put to the vote, the amendment to the motion was declared as lost.

The substantive motion (as moved by Councillor A. Carter and seconded by Councillor Miro) was then debated.

Resolved:-

On being put to the vote, the original motion was declared as carried.

Mover:- Councillor A. Carter

Seconder:- Councillor Miro

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

It was 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.

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.

It was then moved by Councillor Sheppard and seconded by Councillor Cusworth that the motion be amended as follows:

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.

INSERT:

7. **Notes that more than 1,000 households in Rotherham have already benefited from the Council's Energy Crisis payments, and 12,000 Rotherham children regularly now receive free school meal vouchers during the holidays, and that the Overview and Scrutiny Management Board have already outlined plans to further consider the cost of living crisis and the Council's response.**

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. **DELETE: Call on the South Yorkshire Mayoral Combined Authority to hold a Cost-of-Living Emergency Summit with DELETE: stakeholders including Citizens Advice, Food Banks, Local Trade Unions, Chambers of Commerce, local councils, and local MPs – INSERT: relevant local partners and stakeholders, including the Food Crisis Partnership 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 **DELETE: 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) **DELETE: Extend Fuel Duty Relief to cover Rotherham and double it to save local people 10p per litre on petrol. INSERT: Provide the funding for buses and public transport that our community, and particularly people on low incomes, really needs.**

The amendment was accepted by Councillor Tarmey without a debate or vote on the matter and, as such, the amended motion then became the substantive motion.

In accordance with Rule of Procedure 19 (2) Councillor Tarmey requested that a recorded vote should be taken on the proposed motion. In accordance with the Rule of Procedure 5 Members stood to show their support for a recorded vote to be taken on the motion.

Resolved:-

On being put to the vote, the motion as amended was declared as carried.

Mover:- Councillor Tarmey

Seconder:- Councillor C. Carter

In accordance with Rule of Procedure 19 (1) a recorded vote was taken on the motion as follows:

FOR: Councillors Alam, Allen, Andrews, Atkin, Aveyard, Baker-Rogers, Beck, Bennett-Sylvester, Bird, Browne, A. Carter, C. Carter, Clark, Cooksey, Cowen, Cusworth, Elliott, Ellis, Griffin, Haleem, Havard, Hughes, Jones, Khan, McNeely, Miro, Monk, Pitchley, Read, Roche, Sansome, Sheppard, Tarmey, Taylor, Wyatt and Yasseen.

AGAINST: Councillors Bacon, Ball, Burnett, T. Collingham, Z. Collingham, Fisher, Hunter, Mills, Reynolds, Tinsley and Whormsley.

ABSTENTIONS: Councillor Barker.

102. NOTICE OF MOTION - ROTHERHAM COUNCIL BYELAWS

It was 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 4 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.

It was then moved by Councillor Beck and seconded by Councillor Clark that the motion be amended as follows:

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:

INSERT: Ask the Overview and Scrutiny Management Board to consider within its work programme the following potential actions, making any recommendations they deem necessary, and require the proposer of this motion to be part of this Scrutiny activity:

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 4 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.

The amendment was accepted by Councillor Tinsley without a debate or vote on the matter and, as such, the amendment motion then became the substantive motion.

Resolved:-

On being put to the vote, the motion as amended was declared as carried.

Mover:- Councillor Tinsley

Seconded:- Councillor Z. Collingham

103. AUDIT COMMITTEE

Resolved:-

That the reports, recommendations and minutes of the meetings of the Audit Committee be adopted.

Mover: Councillor Baker-Rogers

Seconded: Councillor Cowen

104. HEALTH AND WELLBEING BOARD

Resolved:-

That the reports, recommendations and minutes of the meetings of the Health and Wellbeing Board be adopted.

Mover: Councillor Roche

Seconded: Councillor Cusworth

105. LICENSING BOARD SUB-COMMITTEE AND LICENSING COMMITTEE

Resolved:-

That the reports, recommendations and minutes of the meetings of the Licensing Board Sub-Committee and Licensing Committee be adopted.

Mover: Councillor Hughes

Seconded: Councillor McNeely

106. PLANNING BOARD

Resolved:-

That the reports, recommendations and minutes of the meetings of the Planning Board be adopted.

Mover: Councillor Atkin

Seconded: Councillor Bird

107. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

There were no questions to designated spokespersons.

108. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRPERSONS

- 1) Councillor Tarmey asked: Does the administration plan to undertake work to ensure that all Council-owned homes are carbon neutral by 2030 as part of its commitment to achieving “net-zero”; where it is not possible to make individual buildings carbon neutral due to their construction, what measures will be implemented to ensure that neighbourhoods achieve carbon neutral status?

As Councillor Brookes was not present at the meeting, a written response would be provided to Councillor Tinsley.

- 2) Councillor Jones asked: Can you please confirm if under the Environmental Protection Act Part 2A, the Council has complied with its legal duty to list and designate all contaminated land within its boundaries?

Councillor Beck explained that where the Council is aware of, and has the necessary information to, it does undertake the listing and designation of contaminated land.

In his supplementary, Councillor Jones stated that the Council has a duty under Part 2A of the Environmental Protection Act 1990 to inspect its area for land which in the past may have been used in a way that has led to contamination and address any potential issues that may arise from this. It also says that if remediation works have been enforced at any point, the area of land affected by the contaminants identified will be placed on the Local Authorities public register. In 1990, the Council’s Environmental Health Unit undertook such tests and found that the Droppingwell Landfill Site had what are now classed as fatal levels of heavy metals on the surface. In 1993, the Planning Inspectorate also enforced the remediation of Phase 1 of the site. It is the Council’s legal responsibility to do this, not the Environment Agency. Why was it not added to the Council’s register at that point and when does the Council plan to become legally compliant with the act by reclassifying the land?

Councillor Beck explained that the Council was aware of this situation and were aware that the statutory guidance in relation to contaminated land states that land should be registered under Part 2A where no suitable alternative exists. In the case of Droppingwell, the land is subject to an Environmental Permit and regulated by the Environment Agency.

- 3) Councillor Jones asked: At the OSMB meeting in January the former Assistant Director said that permission had been given for Grange Landfill Limited to re-drill BH5; it was not a requirement of the permit but was desirable to protect public health. Is this statement correct and have they supplied a date for the works?

Councillor Beck explained that that is correct. The Council is not currently aware of any planned start date.

In his supplementary question, Councillor Jones stated that under the Environmental Protection Act Part 2a, it states that contaminated land is classified as land that appears to the Local Authority in whose area it is situated to be in such a condition by reasons such as substances in, on or under the land that can cause significant harm or pollution of controlled water has been or is likely to be caused. In the operator's compliance assessment reports on progress at the site over the last 12 months, the Environment Agency has continuously reminded the operator of the requirement to reinstate Borehole Number 5 prior to the licence being varied.

This led to 2 conflicting questions: firstly, did the former Director mislead the Council in an attempt to gain an agreement and if it was believed that this piece of land was not required to be added to the register because the Environment Agency are regulating it, which is not the legal requirement, why is permission being given for a totally pointless borehole to be drilled on public land?

Councillor Beck stated that these concerns had been raised with the Environment Agency previously and the Council would continue to raise these issues. Many of the points raised in the question needed to be raised with the Environment Agency. The Council had raised concerns about Borehole 5 previously. The Council would continue to direct those questions to the Environment Agency.

- 4) Councillor C. Carter asked: The children's play area at Rother Valley Country Park is extremely muddy, especially at the entrances and underneath play equipment, such as swings. This has been the case, even during periods of drier weather. What action is the Council taking to resolve this?

Councillor Sheppard explained that the Council did recognise it can get muddy as with all outdoor play areas. The Council will review and consider any further actions that could be taken. Maintenance work is mainly done out of season so children can access the facilities in the summer when the weather is generally better. The Council can, however, make sure the path at the entrance is fit for purpose and look at the amount of bark around the individual items.

In her supplementary, Councillor C. Carter stated that she had been to the play area recently and there were no rubber mats in place; there was no tarmac on the entrances and it was basically just a mud pit. This could be quite dangerous for children. When could action be taken to review that as a matter of urgency?

Councillor Sheppard stated that he would take that away and get back to Councillor Carter. The Council obviously wanted to make sure areas were safe for children to play in so the matter would be looked into.

- 5) Councillor Miro asked: Can the people of Waverley please have an explanation as to what is delaying the adoption of Highfield Lane by the Council? I drive down the road regularly and it looks to be of a good standard to me, I would like to know what is holding the process up, and how I can facilitate its progression if possible or needed.

Councillor Beck explained that the process was that the developer had to ask the Council to adopt the road and as yet, the developer had not asked the Council to adopt this road. Once the Council receives the request, it will be actioned.

- 6) Councillor Miro asked: Councillors will be aware of Rotherham's Muslim community frustrations with our burial site, including complaints about landscaping and orientation of the graves. With the new Muslim area being prepared, will the Council reassure me that the community's concerns regarding future capacity, and a clearly marked Muslim area (as in Sheffield for example) will be considered?

Councillor Alam explained that the Council are aware of some issues raised by the Muslim community and the works currently being undertaken by Dignity to address those issues. This includes works to install a significant number of pre-cast tombstones, tarmacking pathways, drainage works, and landscaping. The request to have a clearly defined Muslim area will be put to Dignity to make sure they are abided by.

In his supplementary, Councillor Miro explained that one thing that had also been requested was a parking space close to the grave sites because of the needs of elderly and disabled people. Could this be thought about as well?

Councillor Alam agreed to raise the matter with Dignity.

- 7) Councillor Jones asked: At the last Council meeting, the Deputy Leader stated in reply to a question from Councillor Hoddinott, "that one Councillor had still not supplied a valid DBS check" and was subsequently allowed to name that Councillor in public. Can you confirm if that statement was factually correct?

The Deputy Leader explained that on Page 30 of the agenda pack for the meeting recorded her reply to Councillor Hoddinott's question from the last meeting. The Member in question has not and did not complete the Council's DBS checking process and given that the Member is no longer a Councillor, the issue has been closed.

In his supplementary, Councillor Jones stated that during his time as a Ward Councillor he had had 2 enhanced DBS checks and 3 standard checks. The last one was the hardest to comply with because some people, for different reasons, either do not want or do not have a digital footprint. This led ex-Councillor Hague to have difficulties so before the last meeting, which incidentally was only 2 meetings after one of the Labour Group, he was unjustly named in a public arena. It was unjust because Councillor Jones had witnessed not a standard DBS but a notarized DBS that is better than the one asked for by the Council, and signed in the presence of a solicitor, being handed to the Monitoring Officer prior to the meeting. He asked the Deputy Leader to explain why the Monitoring Officer did not stop her from making a liableness statement and did she now believe that she owed ex-Councillor Hague and the public of Rotherham an apology for misleading them?

The Deputy Leader stated that it was to his credit that Councillor Jones was defending his former colleague and friend. She confirmed that Councillor Hague did provide a copy of a DBS check immediately prior to the last Council meeting but that check had not gone through Council processes. Due guidance was taken on whether the Member could be named and that is what the Deputy Leader did.

- 8) Councillor Jones asked: At the last Council meeting we agreed to support the re-finance option for Forge Island. Can you give the exact reason the preferred partner gave for not financing the project themselves?

The Leader provided some context to the question. The preferred partner referenced was normally Muse, the development partner and there had never been a suggestion that Muse would be providing the funding for the Scheme themselves. Part of the original contract was that Muse went out to the market to secure a financier and the deal around the finance would depend on market conditions at the time. This financier invests in a range of long term investment over a long period of time. It was, therefore, incorrect to interpret what had happened as a reflection on the Forge Island scheme or its profitability.

What happened was that the investor, looking at the whole range of investments in front of them, specifically around Government gilt yields, which was the safest place to put long term investments, shifted. The terms on those were shifting day by day at that point. Their view, therefore, was that they were not able to put as much money in because they could get better returns across their portfolio from other investments.

The Council considered whether taking the money that was available for that financier could be done by taking additional money from the public sector but for a number of reasons that was not possible. In the

end, the Council have chosen the best value option by putting up the loan upfront. This would save the taxpayer over the period of time of the Forge Island Scheme, tens of millions of pounds.

In his supplementary, Councillor Jones asked, if the finance arrangement did not stack up for private finance, it led him to believe that at some point in the future the costs would not stack up for the public purse. He stated that he did support most but not all of the project. However, he asked the Leader to confirm that, after the debacle of the Riverside Buildings and Dignity contracts, that suitable penalties around delays and substandard construction have been added and that the usual tactic of people bidding low and then coming back for more money to finish the project is covered off in the contract?

The Leader explained that the risk around the building contract sat with Muse. Their risk was around building the Scheme on time and building it within the agreed budget.

The Leader restated that the change in the financing was nothing to do with the profitability or the amount of money sitting behind the Forge Island Scheme. It was a reflection on the fact that an institutional investor who could chose to invest in any number of products across the market, at that moment in time, wanted places they could get a better return on their money. That is what led to the change of plan and the Leader believed this had been good for the Council and for the taxpayer.

- 9) Councillor Jones asked: In the last month we have seen yet more businesses leave the town centre because of the lack of footfall causing financial difficulties for traders. Can you please explain what support the Council is supplying to town centre traders to offset these difficulties?

As Councillor Lelliott was not present at the meeting, a written response would be provided to Councillor Jones.

- 10) Councillor A. Carter asked: Councillor C. Carter and I have consistently raised the issue of the 'Black Path' in Brinsworth in both CAP meetings and in full Council meetings, at least over the past year. Why did it take until someone's property was set on fire before additional funding was released to help take proactive measures to tackle the issue?

Councillor Alam explained the matter had been discussed previously and Council staff have been working to address the issues related to the 'Black Path' since November 2021. They have taken a range of actions since then including working with anyone identified as committing anti-social behaviour alongside CCTV, options to close the path, improved lighting and regular patrols.

The additional funding referred to is funding from the South Yorkshire Violence Reduction Unit and managed by the Safer Rotherham Partnership but is limited and so has to be targeted. The first location for these additional resources to be deployed was the Maltby area to tackle anti-social behaviour and when available have been deployed to the Brinsworth area.

In his supplementary, Councillor A. Carter asked how he could get access to the Violence Reduction Unit funding because he had raised it at every CAP meeting for at least a year and it had been raised in the Council meeting as stated. It seemed the wrong way round to wait to take action until after someone's property had been set on fire. He asked the Cabinet Member what his suggestion would be in getting funding in advance for other issues as residents were quite rightly concerned about properties being set on fire and other anti-social behaviour? This was despite the efforts of Ward Councillors in funding things like the youth shelters, security and securing CCTV cameras.

Councillor Alam stated that the funding was limited and targeted. There were severe issues in Maltby that had to be addressed first and then the funding had gone to Brinsworth. There was only a finite amount of resources available and they had to be targeted where a measured impact could be made.

- 11) Councillor A. Carter asked: Has the Council received any allegations of standing water within graves at Dignity maintained burial sites in the Borough, and if so what measures has the Council taken to address this?

Councillor Alam explained that the Council was made aware of some water in a test grave at East Herringthorpe cemetery during the Easter Bank Holiday (Good Friday.) This was raised with Dignity straight away and as a result of significant engagement from Council Officers they have since invested in considerable improvements to the cemetery including works to install a significant number of pre-cast tombstones, tarmacking pathways, drainage works, and landscaping to ensure that the issue is fully addressed. There was still some work in progress.

In his supplementary, Councillor A. Carter stated that in an answer to the public questions, Councillor Alam had stated that there were proactive measures being taken to monitor the contract and the possibility of fines. It had been said that there was a zero tolerance policy on Dignity's management at these burial sites and there was shared disappointment in how Dignity had managed these sites. Why therefore were Dignity not fined as per the contract and could reassurances be given regarding the dealing of the standing water?

Councillor Alam explained that a performance management system was in place and monthly meetings with Dignity took place. There was also a contractual meeting every quarter. Councillor Alam assured Councillor A. Carter that if Dignity did not deliver, they would face financial penalties. In relation to the standing water, it was confirmed that there may still be some on site, but the new drainage works should limit the risk.

- 12) Councillor Bennett-Sylvester asked: A dark side of the British Empire was the plunder of cultural items from colonised territories. What audits have been carried out to see if our artistic and cultural collections contain items initially acquired by any form of colonial violence or oppression?

Councillor Sheppard explained that of the 76,000 objects that were part of the Rotherham Collection, the World Cultures Collection accounts for just 294. Whilst no formal audits have been undertaken, a recent project to better understand the World Cultures collections revealed that the origin of many of these items was unknown with some suspected to be as a result of missionary and charitable work in other territories. This project, which was funded by Esme Fairbairn Foundation, has instigated continued partnerships with communities of South-Asia, African, Roma and Chinese heritage locally to explore how their heritage can be better represented within the collection.

The Council also acts as the sole trustee for the York and Lancaster Regimental Collection and Archive. This collection holds 3,800 objects and 11,000 photographs and archives. As with any military collection the provenance of some items was uncertain and the Council in this instance was the trustee on behalf of others.

In his supplementary, Councillor Bennett-Sylvester stated that, as a declared Anti-Racism Council, it was important to declare those stories and where they are coming from. Could a review be done so if there are any suspicions over certain items, the story of those items could be made known and become part of the Rotherham story in order to recognise that part of history?

Councillor Sheppard agreed that the Council needed to be accountable for what it held and the reasons as to why it was holding it. If a claim came forward for an item held by Rotherham MBC, the Council should be responding in a right and moral way.

- 13) Councillor A. Carter asked: There has been an application made to enforce moving traffic offences on Wood Lane in Brinsworth by the Council. What will the cost of enforcement on this road be, and will the Council commit to looking into opening this road up for resident-only local traffic destined for Brinsworth and Catcliffe?

Councillor Beck encouraged Councillor A. Carter to submit details of the residents only access request into the consultation which was now open and would close on 23rd December, 2022. In relation to costs, it was explained that ,based on examples from other authorities, one-off installation costs of between £15,000 and £25,000 are expected, with running costs of up to £700 per month to operate and maintain. Some sites and types of restriction in need of more than one camera for effective enforcement which will increase the cost of a site further.

In his supplementary, Councillor A. Carter stated that significant installation costs and £700 per month per scheme maintenance had been mentioned and he was of the opinion that this was an extra expense to the Council at a time when there was significant budget pressures, overspends, and potentially a huge hike in Council Tax. He asked the Cabinet Member if this was the wrong priority for this time?

Councillor Beck did not agree because the 6 areas that had been identified as part of the Moving Traffic Offences Enforcement Scheme were all hotspots identified over many years by residents across the Borough and the affected areas. It was not just a cost matter because, for enforcement activity that could be undertaken, there would be fines that would come back to the Council which would help pay for the service.

- 14) Councillor Fisher asked: Can RMBC clarify where the fines against Dignity are reinvested after its failings regarding the flooding, very poor ground conditions and service delivery, that it has been charging the community, when not fit for purpose, at the East Herringthorpe Cemetery?

Councillor Alam explained that there had been significant investment of more than £400,000 by Dignity in the Borough's cemeteries this year to improve the ground conditions and service delivery this has included significant additional works to drainage, footpaths, and the installation of a significant number of pre-cast tombs in advance of winter to protect the overall condition of the cemetery. Fines will be reported through the appropriate meetings in due course and full details will be provided in those reports.

Councillor Alam wished to thank officers for working very hard to get issues with Dignity sorted.

In his supplementary, Councillor Fisher asked, of the 54 Key Performance Indicator's mentioned earlier in the meeting, how many had been missed in the last 12 months by Dignity?

Councillor Alam explained that the annual report that contained that information was currently being drafted and would then be presented to Scrutiny. It was expected that this would be presented at the next Scrutiny Committee meeting.

- 15) Councillor Baum-Dixon submitted the following question: Are the Council undertaking additional street cleaning and drain clearing as a preventive measure as we enter flood season?

As Councillor Baum-Dixon was not present at the meeting, a written response would be provided.

- 16) Councillor Baum-Dixon submitted the following question: Wards are provided with mobile CCTV cameras that can be moved quickly at the request of Ward Members and the Police to crime hotspots, to detect and deter criminal behaviour and give confidence to our communities. Is this current system working?

As Councillor Baum-Dixon was not present at the meeting, a written response would be provided.

- 17) Councillor Baum-Dixon submitted the following question: The fire at Kiveton Industrial Estate has been burning since 7th September. Are the Council working effectively with all partners to ensure the fire is put out quickly in the short-term and that action is taken to ensure this does not happen again in future?

As Councillor Baum-Dixon was not present at the meeting, a written response would be provided.

- 18) Councillor Baum-Dixon submitted the following question: What action has the Council taken to protect the health of residents, in areas such as West Thorpe, South Anston, Kiveton, Harthill and Todwick who have been affected by smoke from the fire at Kiveton Industrial Estate?

As Councillor Baum-Dixon was not present at the meeting, a written response would be provided.

- 19) Councillor Bennett-Sylvester asked: Victims of capitalist oppression who have arrived from overseas are housed in hotels and other properties in Rotherham. What can we as Councillors do to ensure their human rights and needs are protected?

The Leader explained that the Council could only do a limited amount. The Council had opposed the use of hotel accommodation in the Borough. It has a proud history of supporting people who are fleeing persecution by housing them in permanent accommodation across the borough. The Council did not want people living in hotels for any length of time.

Where there were concerns and reports of specific instances, there were channels to the Home Office available. However, the maintenance of those hotels and the oversight of the accommodation

was closely guarded by Central Government. It was not something the Council was directly involved in. The Council could absolutely make representations to the Home Office if there were concerns but it was not something that was within the gift of the Council.

In his supplementary, Councillor Bennett-Sylvester stated there had been videos of thugs videoing the hotels and there had been anecdotal reports of harassment from those. As community leaders, he stated that there were 2 things they could do which were to: state strongly that anyone doing the legal act of seeking asylum was not an illegal immigrant; and due to the reasons why many had had to leave their homes and come to this country, which were the same reasons why people in this country struggled for work, for housing and to eat, it was important to state that the people of Rotherham had far more in common with those people than the people the Conservative opposition represented. Did the Leader agree?

The Leader did agree and highlighted previous conversations that had taken place in the Chamber regarding the manipulation of people in local communities by the Far-Right into narratives of hate and targeting people who were fleeing persecution. It was important to maintain a level of discourse about this and the way in which it was talked about. It was important to remember that these are human beings and they have much more in common with Rotherham residents than they do not.

- 20) Councillor Baum-Dixon submitted the following question: Does the Council [accept] that communication about the Kiveton Fire and public engagement with residents has been poor to date and what action is being taken to remedy this situation?

As Councillor Baum-Dixon was not present at the meeting, a written response would be provided.

- 21) Councillor Bennett-Sylvester asked: What will we be doing to monitor the impact of voter suppression legislation on the 2023 local elections in order to minimise the level of disenfranchisement when we next hold elections?

The Leader explained that the Council's electoral team would be:

- working with neighbouring local authorities to get first-hand experience of voter ID at the May 2023 polls.
- Working with the Electoral Commission and the Association of Electoral Administrators to learn from examples of best practice.
- Engaging with the Electoral Commission's national promotional campaign.

Using this knowledge and understanding would ensure Rotherham has robust plans in place to ensure maximum voter participation for the elections in May 2024.

In his supplementary, Councillor Bennett-Sylvester explained that he would not be able to vote at the next election because of the level of ID he currently held. He was now motivated to get the required ID so he could vote. However, one in 20 people in the country do not have a bank account or basic ID. The big question was if voting does not change anything, why are the Government scared of certain people voting? Did the Leader agree that this needed to be pushed on the political spectrum?

The Leader explained that right information needed to be provided to people at the right time. Lessons needed to be learnt from elections in May 2023 and information needed to be provided to households in enough time. Access to qualifying ID needed to be made easy and readily available. More could be done around postal votes and closer to election time. Candidates also needed to make people aware of the right things to do in order to be able to vote and not intimidated into thinking it was too difficult and bureaucratic, so they did not vote. All this had to be done to ensure the impacts of the draconian legislation were as small as possible.

- 22) Councillor Tinsley asked: A donation of £2,000 was made to the Rother Valley Labour Party by a large landowner in Maltby back in 2017. In 2018, the Local Sites and Polices document was implemented which set out additional land that was suitable for housing. Did Councillors make the relevant Declarations of Interests when this Policy was voted on?

The Leader explained that he had no reason to believe they did not.

In his supplementary, Councillor Tinsley asked whether the Leader agreed that eyebrows could be raised locally on the integrity of Councillors over this allocation of housing land in Maltby? There was now a planning application by the same donor which again would raise eyebrows.

The Leader reiterated that he had no reason to believe that anyone did anything wrong in the first instance. Further, given the route of the money, the Leader believed that it would have gone nowhere near any Councillors. So no, the Leader did not think that was the case and people did not need to be concerned.

- 23) Councillors Mills asked: How many cases of fly tipping has there been within the last 2 years?

Councillor Beck stated that there had been 11,114 cases of fly tipping in the past 2 years.

In his supplementary question, Councillor Mills asked what percentage of the perpetrators were actually fined?

Councillor Beck explained that a written response would be provided. However, he could confirm that there was plenty of activities going on, both overt and covert, to try and tackle persistent perpetrators of fly tipping. The Council was doing a lot better in recent years compared to previous years.

- 24) Councillors Mills asked: How much does it cost the Taxpayer to clean-up fly tipping?

Councillor Beck explained that the total cost of removing fly tipping in the last full calendar year, which was 2021, was £200,569.49.

In his supplementary, Councillor Mills asked, to help combat this issue, would it be best practice to rethink the rules on who could actually use Household Waste Recycling Centres? For example, vans could be allowed to use them.

Councillor Beck explained that a wide range of waste was already accepted at HWRC. The Council was currently reviewing how HWRC's were operated moving forward. However, the reality was that the fly tipping was predominantly done by people who, even if every bit of waste was accepted from them, would still fly tip because it came from nefarious means where people often do not have the correct waste permits. These people therefore do not want to be found.

- 25) Councillor Tinsley asked: With Remembrance Parades going ahead across the Borough. Is there going to be any consideration towards implementing an initiative of Community Road Traffic Management Training?

Councillor Sheppard explained that in 2021 the Council made an interim provision to support road closures for Remembrance Parades to take place locally following the national withdrawal of Police support for road closures relating to events. This arrangement has been further reviewed and adopted as a permanent measure. As such there are no further plans to provide Community Road Traffic Management Training as the current scheme was far better.

In his supplementary, Councillor Tinsley asked for information to be made available in writing to enable those who planned Remembrance Parades to fully understand the process.

Councillor Sheppard confirmed that the information was on the website but he would get the information sent to Councillor Tinsley.

- 26) Councillor Tinsley asked: Maltby foodbank was subject to flooding last week. A request for sandbags to help protect the building and the risk to food supplies. The building was classed as commercial and limited help was given. Do you agree that the Council should be doing as much as reasonably possible to assist organisations such as this?

Councillor Beck explained that he was very sorry to hear about the flooding, especially at a foodbank given the service that was being provided. However, he did not agree with the insinuation that the Council had not been there and had not been helpful. There was a very small drainage team that had to go out there, often out of hours, to do their best in floods. The Council did provide 12 sandbags on the night of the event and in the days after the event the food bank contacted the Council and the Council provided 50 empty sandbags for them to fill with sand that they already had on site. The Council had acted in good faith and provided help. The small drainage team were incredibly stretched in times of high demand, and they could only do so much. On this occasion they did their best.

In his supplementary, Councillor Tinsley explained that, instead of being delivered to the Foodbank, 6 sandbags were actually delivered to his house and the 50 other sandbags were a little late.

Councillor Beck restated that the Council wanted to help where possible, even though there was no duty on the Council to do so. The provision was limited and could only go so far. Councillor Beck was pleased to be able to help the foodbank.

- 27) Councillor Tinsley asked: Did the Council apply for a part of the 1.4 billion pounds of funding available from the Public Sector Decarbonisation Fund. If so how much was applied for and what was it spent on?

As Councillor Lelliott was not present at the meeting, a written response would be provided to Councillor Tinsley.

109. URGENT ITEMS

There were no items which the Mayor determined as urgent.

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

Riverside House

Main Street

Rotherham

S60 1AE

E-mail: cllsaghir.alam@rotherham.gov.ukEmail the Council for **free** @ your local library!

Ref	Direct Line:	Please Ask For
SA/LH	01709 255959	Cllr Saghir Alam

19th December 2022

Mr Arshad Azam

Dear Mr Azam

Question submitted to Council – 30th November 2022Thank you for the question you submitted to Council on 30th November as follows:

Given the cemeteries across the borough are reaching their capacity, what is the long-term strategic solution that the council has in providing adequate and suitable land to bury the deceased?

The Council have received planning applications from Dignity in relation to expansion plans for East Herringthorpe and Wath Cemetery. This will increase capacity to ensure that there is sufficient provision to meet need. In addition to this Dignity is working on a long term burial plan that will address need for burial space in the long term.

In your supplementary question, you stated that there was a planning application currently going through the process for land adjacent to the public section at East Herringthorpe cemetery. Previously, Labour Councillors had indicated that the land was solely for the use of the Muslim community. You asked if the Council could confirm whether that land would be used solely for Muslim burials or had the Muslim community been deceived again?

The site will be for the benefit of all communities.

I hope you find this information helpful.

Yours sincerely



Cllr Saghir Alam OBE
Boston Castle Ward
Cabinet Member for Corporate Services, Community Safety and Finance

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Councillor Amy Brookes – Cabinet Member Housing

Main Street

Rotherham

S60 1AE

Tel: (01709) 23566

E-mail: amy.brookes@rotherham.gov.uk

Email the Council for **free** @ your local library!

Our Ref:

AB/LH

Direct Line:

Extension:

23466

Please Contact:

Councillor Amy Brookes

19th December 2022

Councillor Drew Tarmey

Elected Member

Via email: Drew.tarmey@rotherham.gov.uk

Dear Councillor Tarmey

Council Meeting – Wednesday 30th November 2022

Thank you for submitting a question to the Council Meeting on Wednesday 30th November. I have detailed the question below along with my subsequent response for your information.

Does the administration plan to undertake work to ensure that all council owned homes are carbon neutral by 2030 as part of its commitment to achieving “net-zero”; where it is not possible to make individual buildings carbon neutral due to their construction, what measures will be implemented to ensure that neighbourhoods achieve carbon neutral status?

We are working towards net zero for the Borough by 2040 within the challenging financial context, but with an estimated cost of half a billion pounds to complete the works, we will not be able to achieve this for council stock without significant external investment.

We do have a number of projects underway such as the recently delivered decarbonisation investment works to 217 properties at The Lanes in East Dene. This work was partially funded through the Government’s Green Homes LAD 1B funding. Since completion of the work, residents have noted a marked difference in the thermal efficiency and comfort of their homes.

A further programme of work has also commenced to 140 properties in the Maltby/Hellaby area, supported by funding obtained by the Council from the Government’s Social Housing Decarbonisation Fund. This will deliver improved insulation measures, new roofing, external doors and window replacements with the anticipated outcome of significantly reducing the space heating demand for each property.

The Council will continue to deliver programmes of work such as above, as central Government funding becomes available.

I hope the above information is helpful.

Yours sincerely



Councillor Amy Brookes
Cabinet Member for Housing

Councillor Denise Lelliott – Cabinet Member for Jobs and the Local Economy

Riverside House

Main Street

Rotherham

S60 1AE

Tel: (01709) 822700

E-mail: denise.elliott@rotherham.gov.uk

Email the Council for **free** @ your local library

Our Ref:

DL/LH

Direct Line:

(01709) 822700

Please Contact:

Cllr Denise Lelliott

6th December 2022

Councillor Ian Jones

Elected Member

Via email: cllrian.jones@rotherham.gov.uk

Dear Councillor Jones

Question at Council – Wednesday 30th November 2022

Thank you for submitting a question to the Council Meeting on Wednesday 30th November. I have detailed the question below along with my subsequent response for your information.

In the last month we have seen yet more businesses leave the town centre because of the lack of footfall causing financial difficulties for traders, can you please explain what support the council is supplying to town centre traders to offset these difficulties?

As we have discussed the Council investing significant amounts into the Town centre, repurposing and reusing buildings, developing a new leisure and cultural quarter on Forge Island, building new homes in the town centre for people to live in, re-invigorating the well-loved but aging market and creating new high-quality public spaces linking the developments together.

Redevelopment on this scale takes time but progress is clearly visible on site and there is more to come. The level of investment into Rotherham Town Centre is unprecedented, with over £100m of direct Council investment alongside over £65m of

external grant money secured, and this does not include private-led schemes that are also continuing to emerge.

In addition to this the Council have staff the RiDO team (that's the Rotherham Investment and Development Office) who are available to local businesses and who provides bespoke support free of charge to support the needs of all Rotherham's businesses. The specialist team of business advisors offer impartial expert business advice, to help businesses navigate through the current economic climate.

I hope you find this helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'DL', written in a cursive style.

Councillor Denise Lelliott
Cabinet Member for Jobs and the Local Economy

**Councillor Dominic Beck – Cabinet Member for
Transport and Environment**

Riverside House
Main Street
Rotherham
S60 1AE

E-mail: dominic.beck@rotherham.gov.uk

Email the Council for **free** @ your local library!

Ref	Direct Line:	Please Ask For
DB/LH	01709 823564	Councillor Beck

6th December 2022

Councillor Tim Baum-Dixon
Elected Member

Via email: cllrtim.baum-dixon@rotherham.gov.uk

Dear Councillor Baum-Dixon

Question at Council – Wednesday 30th November 2022

Thank you for submitting a question to the Council Meeting on Wednesday 30th November. I have detailed the question below along with my subsequent response for your information.

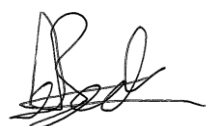
Are the council undertaking additional street cleaning and drain clearing as a preventive measure as we enter flood season?

The Council has carried out additional maintenance of highway drainage systems in flood sensitive areas in preparation for the winter season. We react to any warnings from the Environment Agency or the Met Office of forecast heavy rain by inspecting and cleansing drainage assets that include road gullies, soakaways and watercourse inlet trash screens to ensure this critical infrastructure has maximum capacity.

If there are any locations you know or think haven't been done, please let me know and I will ask service to look into it.

I trust the above information is helpful.

Yours sincerely



Councillor Dominic Beck
Cabinet Member for Transport and Environment /Ward Councillor for Wales Ward

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

Riverside House

Main Street

Rotherham

S60 1AE

E-mail: cllrsaghir.alam@rotherham.gov.ukEmail the Council for **free** @ your local library!

Ref	Direct Line:	Please Ask For
SA/LH	01709 255959	Cllr Saghir Alam

6th December 2022Councillor Tim Baum-Dixon
Elected MemberVia email: cllrtim.baum-dixon@rotherham.gov.uk

Dear Councillor Baum-Dixon

Question submitted to Council – 30th November 2022Thank you for the question you submitted to Council on 30th November as follows:

Wards are provided with mobile CCTV cameras that can be moved quickly at the request of ward members and the police to crime hotspots, to detect and deter criminal behaviour and give confidence to our communities. Is this current system working?

I can confirm that the system is working, and the Council has a mix of re-deployable CCTV systems and has continued to invest in CCTV for a number of years. As a result, the Council does have some older units installed in areas within the Borough however whenever the Council becomes aware of a fault the camera is either repaired or replaced where possible. Because of the investment we've made in recent years, ward cameras have recently undergone refurbishment so that the cameras can now be accessed remotely, so some of these cameras have been out of action while this upgrade process take place. However, where there has been an urgent need for a camera, we have made one available.

As you can imagine, when requests are received there can be challenges with connectivity, lines of sight etc but through engagement we are generally able to find a way to support the collation of evidence.

We have committed a further £250,000 investment within this year's budget to ensure we make best use of CCTV assets across the borough.

I hope you find this information helpful.

Yours sincerely

Cllr Saghir Alam OBE
Boston Castle Ward
Cabinet Member for Corporate Services, Community Safety and Finance

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**Councillor Dominic Beck – Cabinet Member for
Transport and Environment**

Riverside House
Main Street
Rotherham
S60 1AE

E-mail: dominic.beck@rotherham.gov.uk

Email the Council for **free** @ your local library!

Ref	Direct Line:	Please Ask For
DB/LH	01709 823564	Councillor Beck

12th December 2022

Councillor Tim Baum-Dixon
Elected Member

Via email: cllrtim.baum-dixon@rotherham.gov.uk

Dear Councillor Baum-Dixon

Question at Council – Wednesday 30th November 2022

Thank you for submitting a question to the Council Meeting on Wednesday 30th November. I have detailed the question below along with my subsequent response for your information.

The fire at Kiveton Industrial Estate has been burning since 7th September, are the council working effectively with all partners to ensure the fire is put out quickly in the short-term and that action is taken to ensure this doesn't happen again in future?

The Council is working closely with partner organisations, including the Environment Agency, South Yorkshire Fire and Rescue, the UK Health Security Agency and the Police, amongst others, to ensure the fire is put out as quickly as possible, and the Council is chairing the Local Resilience Forum, where the key partners meet to oversee and drive the response. The Council is also an active member of the Tactical Group, which is developing the detailed plans and the Council is also chairing the Air Quality Cell, which has seen our partners bring in air monitoring equipment and colleagues to analyse data.

Most importantly, the Council has worked with partners to ensure that the fire itself put out and that the risk of a further fire is significantly reduced. This has involved the use of heavy plant machinery, which has been brought in by the Environment Agency, who are working closely with the Fire Service on site to break up the waste in order for the smouldering waste to be fully extinguished. The waste is then being moved into smaller piles which reduce the risk of a further large-scale fire at the site. This has been challenging work to complete but significant progress has been made on the site and the Council has supported on the ground in various ways including removing small amounts of waste that were preventing progress on site, removal of a fence and engagement on all enforcement and regulatory options.

As you know, Partners held the second drop-in event for the local community on the 5th December, which was well attended and hopefully demonstrated the commitment of partner to support the local community and address this issue.

For up-to-date information I would urge members to look at the dedicated incident page on the South Yorkshire Fire and Rescue website and in addition, I have requested fortnightly meetings with local ward members, the first of which was held on the 21st November.

I trust the above information is helpful.

Yours sincerely



Councillor Dominic Beck
Cabinet Member for Transport and Environment /Ward Councillor for Wales Ward

**Councillor Dominic Beck – Cabinet Member for
Transport and Environment**

Riverside House
Main Street
Rotherham
S60 1AE

E-mail: dominic.beck@rotherham.gov.uk

Email the Council for **free** @ your local library!

Ref	Direct Line:	Please Ask For
DB/LH	01709 823564	Councillor Beck

12th December 2022

Councillor Tim Baum-Dixon
Elected Member

Via email: cllrjim.baum-dixon@rotherham.gov.uk

Dear Councillor Baum-Dixon

Question at Council – Wednesday 30th November 2022

Thank you for submitting a question to the Council Meeting on Wednesday 30th November. I have detailed the question below along with my subsequent response for your information.

What action has the council taken to protect the health of residents, in areas such as West Thorpe, South Anston, Kiveton, Harthill and Todwick who have been affected by smoke from the fire at Kiveton Industrial Estate?

The Council has worked closely with key partners such as the Environment Agency and the Health Security Agency, who would ordinarily lead on air quality implications as a result of pollution incidents such as the fire at Kiveton. The Council has taken a proactive approach to this issue by chairing multi-agency meetings with partners to look specifically at air quality as well as chairing the overall strategic group leading the response. Air quality monitoring tools have been deployed to this incident to measure ambient air quality, which provides a proxy indicator of any health impacts arising from smoke. Whilst the advice remains to avoid the smoke where possible, the data, which is analysed by the UK Health Security Agency, shows air quality to be within the national standards.

The Council is working closely with our own Public Health colleagues as well as the South Yorkshire Integrated Care Board to monitor any changing trends in health presentations at local GP surgeries. The Council has also ensured that advice is shared with schools and care homes in the area as well as sharing the general advice to the public through our media channels.

Most importantly, the Council has worked with partners to ensure that the fire itself put out and that the risk of a further fire is significantly reduced. This has involved the use of heavy plant machinery, which has been brought in by the Environment Agency, who are working closely with the Fire Service on site to break up the waste in order for the smouldering waste to be fully extinguished. The waste is then being moved into smaller piles which reduce the risk of a further large-scale fire at the site. This has been challenging work to complete but significant progress has been made on the site and the Council has supported on the ground in various ways including removing small amounts of waste that were preventing progress on site, removal of a fence and engagement on all enforcement and regulatory options.

As you know, Partners held the second drop-in event for the local community on the 5th December, which was well attended and hopefully demonstrated the commitment of partner to support the local community and address this issue.

For up-to-date information I would urge members to look at the dedicated incident page on the South Yorkshire Fire and Rescue website and in addition, I have requested fortnightly meetings with local ward members, the first of which was held on the 21st November.

I trust the above information is helpful.

Yours sincerely



Councillor Dominic Beck

Cabinet Member for Transport and Environment /Ward Councillor for Wales Ward

**Councillor Dominic Beck – Cabinet Member for
Transport and Environment**

Riverside House
Main Street
Rotherham
S60 1AE

E-mail: dominic.beck@rotherham.gov.uk

Email the Council for **free** @ your local library!

Ref	Direct Line:	Please Ask For
DB/LH	01709 823564	Councillor Beck

6th December 2022

Councillor Tim Baum-Dixon
Elected Member

Via email: cllrtim.baum-dixon@rotherham.gov.uk

Dear Councillor Baum-Dixon

Question at Council – Wednesday 30th November 2022

Thank you for submitting a question to the Council Meeting on Wednesday 30th November. I have detailed the question below along with my subsequent response for your information.

Does the council except that communication about the Kiveton Fire and public engagement with residents has been poor to date and what action is being taken to remedy this situation?

The Environment Agency and South Yorkshire Fire and Rescue are leading the activities on the site and have routinely been providing information through their websites, which the Council has shared.

All partners recently held a multi-agency drop-in session and community members did feed back to us that more needs to be done to communicate with them. As a result, partners have set a further drop-in session for the 5th December and will be writing to a number of properties as well as putting notices on local noticeboards. This is as a direct result of feedback from residents and Councillors as to how communications can be improved.

I trust the above information is helpful.

Yours sincerely



Councillor Dominic Beck
Cabinet Member for Transport and Environment /Ward Councillor for Wales Ward

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Councillor Dominic Beck – Cabinet Member for Transport and Environment

Riverside House
Main Street
Rotherham
S60 1AE

E-mail: dominic.beck@rotherham.gov.uk

Email the Council for **free** @ your local library!

Ref	Direct Line:	Please Ask For
DB/LH	01709 823564	Councillor Beck

21st December 2022

Councillor Lewis Mills
Elected Member

Via email: lewis.mills@rotherham.gov.uk

Dear Councillor Mills

Supplementary question at Council – Wednesday 30th November 2022

Thank you for submitting a supplementary question to the Council Meeting on Wednesday 30th November. I have detailed the question below along with my subsequent response for your information.

What percentage of the perpetrators were actually fined?

I can provide the figures of the percentage of fly tips that resulted in some form of action of this year and the previous year as follows:

Enforcement Type	1/1/2021 to 31/12/2021	1/1/2022 to 13/12/22
Large amount fly tipping fixed penalty notice £400	59	46
Small amount fly tipping fixed penalty notice £150	8	25
Prosecution file for court action.	16	30
Total amount of enforcement actions	83	101
Fly tipping jobs	5982	5186
Percentage of perps fined	1.38%	1.94%

I trust the above information is helpful.

Yours sincerely



Councillor Dominic Beck

Cabinet Member for Transport and Environment /Ward Councillor for Wales Ward

Councillor Denise Lelliott – Cabinet Member for Jobs and the Local Economy

Riverside House

Main Street

Rotherham

S60 1AE

Tel: (01709) 822700

E-mail: denise.elliott@rotherham.gov.uk

Email the Council for **free** @ your local library

Our Ref:

DL/LH

Direct Line:

(01709) 822700

Please Contact:

Cllr Denise Lelliott

6th December 2022

Councillor Adam Tinsley

Elected Member

Via email: adam.tinsley@rotherham.gov.uk

Dear Councillor Tinsley

Question at Council – Wednesday 30th November 2022

Thank you for submitting a question to the Council Meeting on Wednesday 30th November. I have detailed the question below along with my subsequent response for your information.

Did the council apply for a part of the 1.4 billion pounds of funding available from the Public Sector Decarbonisation fund. If so how much was applied for and what was it spent on?

The Council is progressing a Public Sector Decarbonisation Fund 3b application for approximately £3.5 million which has successfully passed through to the stage 2 assessment. The team are awaiting a response on whether this application is successful.

I hope you find this helpful.

Yours sincerely,



**Councillor Denise Lelliott
Cabinet Member for Jobs and the Local Economy**

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THE CABINET
21st November, 2022

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

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

An apology for absence was received from Councillor Lelliott.

67. DECLARATIONS OF INTEREST

There were no declarations of interest.

68. QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) Mr. Marston enquired about the progress or what was planned for the “ill-thought-out” Broom Road cycle lane. There had been a consultation one year ago, but Mr. Marston had not heard anything since. He had made comments and asked what the situation was. Mr. Marston stated that it seemed to have been designed as if it was a flat area, but it was not due to the “Eddie the Eagle” roundabout which for cyclists was not a simple thing to get passed. Was any notice taken of the consultation and have there been any changes planned?

The Leader explained that Broom Road Cycle Scheme was consulted on around a year ago, but a final version of the Scheme had not yet been published. It was still the expectation that something would go ahead in that location. However in terms of the final design and responding to the consultation, the Leader was not aware of further progress.

The Strategic Director for Regeneration and Environment, Paul Woodcock, explained that the matter did need to be looked into by his team. He confirmed that there was still an intention to progress, and he agreed to meet with Mr. Marston to run through the concerns and provide an update on the stages of the Scheme, the next steps and the timetables.

In his supplementary, Mr. Marston stated that a lot of safety concerns had not been taken into account and as proposed, the Scheme would be against safety and against encouraging bus use by taking out bus stops. Mr. Marston asked if anyone present had any information on the usage of those bus stops?

The Leader explained that no one in the meeting had that information to hand but if Mr. Marston left his contact details at the Town Hall, a Member of Mr. Woodcock’s team would be in touch regarding his concerns.

69. MINUTES OF THE PREVIOUS MEETING

Councillor Allen advised of 2 corrections to the minutes. The sentence *“apologies for absence were received from Councillors”* should have been removed and Minute No. 58, paragraph 2 should read *“step down”* rather than *“set down.”*

It was also confirmed that a funding decision had been received in mid-October as stated in Minute No. 58, paragraph 3.

Resolved:-

That the minutes, as corrected, of the previous meeting of the Cabinet held on 17th October, 2022, be approved as a true and correct record of the proceedings.

70. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that there were no items of business on the agenda that would require the exclusion of the press and public from the meeting.

71. PROPOSAL TO CLOSE ROWAN CENTRE PUPIL REFERRAL UNIT (PRU) - FOLLOWING THE TRANSFER OF PUPILS TO ELEMENTS ACADEMY

Consideration was given to the report which sought approval to commence statutory processes prescribed by the Department for Education (DfE) to bring forward proposals to formally close the Rowan Centre Pupil Referral Unit (PRU), following Statutory Guidance for Proposers and Decision Makers 2019 – Opening and Closing Maintained Schools.

The Rowan Centre PRU, Estate Road, Rawmarsh, had evolved over time into a provision exclusively for children with Education, Health, and Care Plans (EHCPs) with a presenting need of Social, Emotional and Mental Health (SEMH). However, all pupils who attended the Rowan Centre had now transferred to the Elements Academy at Dinnington via the EHCP process. The Elements Academy opened in September 2022 for pupils with EHCP's with a presenting need of SEMH needs.

Subsequently, the Rowan Centre site had been vacated and stood empty. To use the site for other registered education provision, it was necessary to follow a statutory process to formally close the Rowan Centre as a Local Authority maintained School and make the site available for other educational purposes as required by DfE. Should proposals to formally close the Rowan Centre be approved following statutory process, the site could be offered to education providers for the use of education provision where there was an identified need and the proposal be approved by DfE in due course.

The option of leaving the site “as is” was rejected as the building would inevitably fall into disrepair over a period of time.

It was anticipated that a report would be brought back to Cabinet in February 2023 setting out the outcome of the pre-statutory consultation and seeking approval to proceed to a period of statutory consultation by public notice. A further report would then be presented in April 2023 outlining the outcome of the statutory consultation and seeking determination of the proposals.

Resolved:-

1. That approval be granted to commence a period of pre-statutory consultation on proposals to close Rowan Centre PRU.
2. That a further report be brought to Cabinet following pre-statutory consultation, outlining the outcome of the consultation, and seeking approval to enter into a period of statutory consultation.

72. SEPTEMBER 2022/23 FINANCIAL MONITORING REPORT

Consideration was given to the report which set out the financial position as at the end of September 2022 and was based on actual costs and income for the first 6 months of 2022/23 and forecast for the remainder of the financial year.

Members noted that financial performance was a key element within the assessment of the Council’s overall performance framework and was essential to achievement of the objectives within the Council’s Policy agenda. The report was the third in a series of monitoring reports for the 2022/23 financial year which would continue to be brought forward to Cabinet on a regular basis.

As of September 2022, the Council currently estimated an overspend of £18.2m for the financial year 2022/23. Whilst the core Directorates’ services had a forecast year end overspend of £8.1m on the General Fund, there was £10.1m of estimated unbudgeted cost resulting from the wider financial impact of the war in Ukraine, inflation, energy price increases and the impact of the 2022/23 pay award; costs that the Council could not have projected within its Medium Term Financial planning. These additional financial challenges had been factored into the current forecast following a review of the impact of these pressures on the current year and Medium Term Financial Planning.

Whilst the energy price rises and inflation would impact the Council’s costs in the provision of services, there would be some mitigation in future years by increased core funding as business rates income was indexed to the rate of inflation. This position could change should Government announce changes to the funding of local authorities or if Government did not provide inflation uplifts in line with the Council’s assumptions.

Government had provided a Budget announcement on the 17th November, after publication of the report and as such, the impact of the announcement could not be factored in.

It was currently expected that the period of high inflation would last for around 2 years before returning to a more normal level but the cost increase being experienced would raise the base cost of services on which future inflation was applied meaning a compounding impact. Work was underway to understand the impact of the Government's energy support package for councils on the current financial year.

As such the Council faced significant financial pressures that would need to be managed and mitigated through the Medium Term Financial Strategy and through significant use of the Council's reserves. Whilst there were demands nationally for additional support to the public sector to address the uncontrollable cost increases, it was not currently expected that additional funding would be provided to local authorities as part of the financial settlement for 2023/24.

The Leader explained that councils everywhere were facing budget pressures as many factors were outside of the control of local authorities. Additional costs relating to placement pressures within Children and Young People's Services, Home to School Transport pressures within Regeneration and Environment and CYPS and pressures relating to the longer term recovery from Covid-19 were also highlighted. The Leader stated that the Autumn Statement from Government did not provide the level of support required but there was some financial resilience in the level of reserves. It was expected that at some point, holes in the budget would have to be addressed and it was important to be clear about that.

Paragraphs 2.45-2.49 of the report submitted provided details on the Market Sustainability and Fair Cost of Care Fund 2022 to 2023. Rotherham had received £908k, 75% of this was expected to be allocated to increase fee rates paid to providers in scope, where necessary, and beyond pressures funded by the Local Government Finance Settlement 2022/23. Up to 25% could be used to fund implementation activities associated with meeting the fund purpose. It was proposed that £37k would be used to support additional posts that were recruited to undertake the work and the remainder of the available fund be apportioned (as a one-off payment) between Older People's Care Homes and Home Care providers.

Paragraphs 2.50-2.54 of the report submitted provided details on the Homelessness Rough Sleepers Initiative Grant Funding 2022-25. Rotherham Council would receive £1,250,260 over the 3 year term. It was proposed that £513,213 of the funding would be used for the procurement of an 8 bed Emergency Accommodation Hub developed by the Council in response to the Rough Sleepers Initiative in 2019.

An update on the Capital Programme finances was set out in Paragraph 2.56 of the report submitted. The Capital Programme 2022/23 totalled £173.847m split between the General Fund £130.575m and Housing Revenue Account £43.272m. This was a decrease of £14.291m to the position as at the end of July reported to Cabinet on 19th September, 2022.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board fully supported the recommendations.

Resolved:

That Cabinet:

1. Note the current General Fund Revenue Budget forecast overspend of £18.2m.
2. Note that actions will continue to be taken to reduce the overspend position but that it is likely that the Council will need to draw on its reserves to balance the 2022/23 financial position.
3. Note the updated Capital Programme.
4. Approve the proposed use of the Market Sustainability and Fair Cost of Care Fund.
5. Approve the proposed use of the Homelessness Rough Sleepers Initiative Grant.

73. MEDIUM TERM FINANCIAL STRATEGY

Consideration was given to the report which set out a review and update of the Council's Medium Term Financial Strategy (MTFS) to 2025/26. The MTFS would be revised further in advance of the Council Budget setting meeting in March 2023, to take account of the Local Government Finance Settlement for 2023/24, when issued, along with budget policy proposals on levels of council tax and fees and charges and any budget savings or investments.

The MTFS forecast identify that the Council faced a significant financial challenge in setting a balanced budget for 2023/24 through to 2025/26 due to pressures outside of the Council's control. Therefore, it was expected that additional use of reserves would be required for 2022/23 and likely for 2023/24. This position was subject to review when the Finance Settlement for 2023/24 was received though there remained substantial uncertainty with the UK economy and the levels of public sector financing that were expected within the Finance Settlement for 2023/24.

It was, therefore, possible that announcements made by Government on the 17th November, 2022, or within the subsequent Finance Settlement for 2023/24 could add further financial pressures to the Council's MTFS position, either through Government not inflating public sector resources as assumed or through other cuts to public sector funding.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board fully supported the recommendations.

Resolved:

1. That the MTFS update be noted.
2. That Cabinet note the requirement to use reserves in order to balance the Council's outturn position for 2022/23.

74. NEW APPLICATIONS FOR BUSINESS RATES DISCRETIONARY RELIEF FOR ROTHERHAM RISE AND THE REALLY NEET PROJECT LIMITED

The Council had received an application for the award of Business Rates Discretionary Relief for Rotherham Rise and the Really Neet Project Limited. In line with the Council's Business Rates Discretionary Relief Policy, having regard to the financial cost of the proposed relief, the charitable use of premise and the contribution that the organisation makes to the local community, it was recommended that the award of discretionary relief be granted to Rotherham Rise and the Really Neet Project Limited.

Rotherham Rise was a registered charity which provided free counselling and support for adults, young people and children who had experienced any form of domestic abuse and/or child exploitation. They had taken on additional rooms with their existing premises to provide more appointments and training rooms.

The Really Neet Project Limited was a social enterprise not for profit organisation which aimed to meet the needs of vulnerable young people through training and education. The organisation also offered innovative and engaging learning opportunities which would develop the range of skills, personal attributes and qualifications required to progress into employment or further education. They have taken on additional properties to continue their work and are seeking the Council's support with funding the business rates on those.

The cost to Rotherham Council for the 2022/23 financial year was £377.05 for Rotherham Rise and £9,428.20 for the Really Neet Project Limited. The cost for the 2023/24 financial year was not expected to be significantly different.

Resolved:

1. That Cabinet approve the applications for Discretionary Business Rate Relief for Rotherham Rise and The Really NEET Project Limited in accordance with the details set out in Section 6 to the report submitted for the 2022/23 financial year.

75. CORPORATE SAFEGUARDING PROTOCOL

Consideration was given the report which explained that a new Corporate Safeguarding Protocol had been developed which acted as a framework for the Council to ensure that safeguarding was embedded across all services and that all staff and Councillors were aware of their responsibilities. The report also referenced the outcome from the recent Inspection of Local Authority Children's Services which demonstrated the effectiveness of safeguarding practice in the Council.

The Council had a duty to make appropriate arrangements to safeguard and promote the welfare of children, young people and adults. The Council believed that every child, young person and adult, regardless of their background, age, culture, sexual orientation, gender identity, disability, ethnicity or religious belief should be able to live and participate in a safe society without any fear, violence, abuse, bullying, discrimination or exploitation.

The previous Safeguarding Policy which had been in place for five years was proposed to be superseded by this protocol based on current good practice. The new Corporate Safeguarding Protocol at Appendix 1 to the report demonstrated a corporate framework which set out how all services across the Council worked to deliver the Council's statutory safeguarding duties and responsibilities. The proposed statement was aligned to the Care Act (2014) and the Working Together to Safeguard Children Statutory Guidance (2018), corporate responsibilities, the Council Plan and Year Ahead Delivery Plan.

An Inspection of Local Authority Children's Services (ILACS) took place on the week beginning 20th June, 2022, which considered the effectiveness of safeguarding arrangements for children. On 12th August the Council were notified that Ofsted judged Children's Services overall effectiveness to be Good.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board fully supported the recommendations.

Resolved:

1. That Cabinet approve the updated Corporate Safeguarding Protocol.

2. That Cabinet note the outcome of 'Good' from the recent Ofsted Inspection of Children and Young People Services.

76. REFRESH OF THRIVING NEIGHBOURHOODS STRATEGY (2018-2025)

Consideration was given to the report which presented the refreshed Thriving Neighbourhoods Strategy. The original Strategy had been approved by Cabinet in November 2018. However, since the publication of the new Council Plan (2022-25), it was seen as an opportune time to refresh the Strategy, taking into account the ambitions in the Council Plan and acknowledging that the Council's Neighbourhood Working Model was well embedded and evolving. This was evidenced by annual reports presented to Improving Places Select Commission and the Ward reports presented by Elected Members to each Council meeting. The Council Plan had further developed the Council's vision under its "Every Neighbourhood Thriving" theme.

The main differences in the refreshed Strategy, attached at Appendix 1 to the report, were:

- A foreword from the Deputy Leader / Cabinet Member for Neighbourhoods.
- Reference to the Council's 'Place-Based' and 'Strengths-Based' approaches.
- Greater emphasis on the role of the Councillor, referencing Birmingham University's 21st Century Councillor Model.
- Reference to how success is measured.
- Links to relevant webpages, which illustrate the progress made since 2018.
- Removal of case studies – as there are now other avenues to promote these such as ward e-bulletins, ward webpages and Members' annual ward reports to Council.

On approval of the refreshed Strategy, it was proposed to develop a Delivery Plan, which would capture the key components of the Neighbourhood Working Model, how the Model would continue to evolve and how the impact would be measured. The Delivery Plan would be developed in consultation with local communities, Elected Members and other stakeholders between January and March 2023. This would also help further promote the Neighbourhood Working Model and the role of Elected Members as community leaders within their Wards. On completion, the Delivery Plan would inform the key milestones for Every Neighbourhood Thriving theme within the Council Plan's Year Ahead Delivery Plan. It was recommended that the completed Delivery Plan be presented to Improving Places Select Commission in Spring 2023.

Resolved:

1. That Cabinet approve the refreshed Thriving Neighbourhoods Strategy (2018- 2025).
2. That Cabinet agree that the Thriving Neighbourhoods Strategy Delivery Plan and Full Equality Analysis are developed by April 2023 and presented to the Improving Places Select Commission in Spring 2023.

77. 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.

78. DATE AND TIME OF NEXT MEETING

Resolved:

That the next meeting of the Cabinet be held on Monday, 19th December, 2022, commencing at 10.00 a.m. in Rotherham Town Hall.

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**THE CABINET
19th December, 2022**

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

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

Apologies for absence were received from Councillors Lelliott.

79. DECLARATIONS OF INTEREST

There were no declarations of interest.

80. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no members of the public present at the meeting and no questions submitted in writing.

81. MINUTES OF THE PREVIOUS MEETING

Councillor Allen advised of a correction to Minute No. 69. It should read “held on 17th October 2022 be approved as a true and correct *record* of the proceedings.”

Resolved:-

That the minutes, as corrected, of the previous meeting of the Cabinet held on 21st November, 2022, be approved as a true and correct record of the proceedings.

82. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that Appendix 2 to Minute No. 84 contained exempt information, however, the meeting remained open to the public and press throughout.

83. SECTION 106 DEVELOPER EDUCATION CONTRIBUTIONS POLICY

Consideration was given to the report which proposed changes to the threshold criteria within the Section 106 Developer Contributions Policy. The changes reflected recent updates to the evidence base and further work undertaken within the Council to prepare refreshed Supplementary Planning Policy guidance.

The Town and Country Planning Act 1990 (Section 106) made provision for Local Authorities to seek financial contributions from developers towards education infrastructure where it could be evidenced that a

development would put pressure on existing school capacity. The Section 106 Developer Education Contributions Policy set out the Council's strategy towards analysing the impact on education and requesting developer contributions towards creating additional school places where necessary and appropriate.

The latest cost multipliers issued by Department for Education and BCIS (Building Cost Information Service) had uplifted the previous cost formula from £2,342 (Primary) and £2,521 (Secondary) to £3,472 (Primary), £3,737 (Secondary) and £1,621 (Sixth Form). The policy revision reflects the uplift. In future those costs would be updated annually to reflect increases in build costs and as good practice in negotiating Section 106 planning contributions.

The Policy revision which was attached as Appendix 1 to the report also incorporated the use of Section 106 funding for Special Education Needs and Disability (SEND) and Social Emotional and Mental Health (SEMH) resources. This was because the Local Authority had a strategy to align SEND/SEMH resource bases to local mainstream schools to meet the rising need for places in mainstream education for children with SEND/SEMH both with Education, Health and Care Plans (EHCP's) and registered as SEND needs in school but below EHCP threshold.

Consultation was undertaken with stakeholders including RMBC Planning Department (linked to the draft Supplementary Planning Documents (SPD) -Securing Developer Contributions), Housing Department, Legal Department, Finance Department, Procurement Department and Regeneration and Environment Directorate. Feedback from consultees had informed revisions to the revised draft Policy, attached as Appendix 3 to the report.

Resolved:-

That approval be granted to the revised Section 106 Developer Education Contributions Policy.

84. DISPOSAL OF PROPERTY AT 32-34 CORPORATION STREET (FORMER LLOYDS BANK BUILDING)

Consideration was given to the report which sought approval to dispose of property at 32-34 Corporation Street. The property was showed edged in red on the plan attached at Appendix 1 to the report. The disposal would be at a nominal value in line with an independent valuation by private treaty sale and would facilitate the redevelopment of vacant properties at Corporation Street and the provision of new commercial and residential properties.

The proposal was part of a wider development to facilitate new commercial and residential space within the Town's Leisure and Culture Quarter. The Council had secured £31.6m through the Town Deal

towards the regeneration of the Town Centre, Eastwood and Templeborough. Part of this programme would contribute towards a public/private sector partnership redevelopment of properties at 30-38 Corporation Street.

The property would be disposed of to a private sector individual who owned the neighbouring properties (the “Developer”) who would lead in the delivery of the development scheme. Town Deal monies would provide the identified funding gap. The property had to be included at a reduced value and the report, therefore, sought permission to dispose of the property at less than best consideration to facilitate the ongoing regeneration of Rotherham’s Town Centre. A valuation was commissioned in October 2022 and a summary was provided in exempt Appendix 2.

Under Section 123 of the Local Government Act 1972, it states that a Local Authority can dispose of land or property for less than best consideration if it considers that the disposal will contribute to the promotion or improvement of the economic, social or environmental wellbeing of its area and the extent of the undervalue is no more than £2m. To facilitate the continued redevelopment of the Town Centre it was proposed that the Council forgoes a capital receipt, and the property was disposed of at a reduced value.

Neighbouring properties were owned by the Developer who would contribute to the majority of financial contribution to the redevelopment project. A sale by Private Treaty was therefore the recommended option to enable the project to be delivered.

The property was purchased in 2006 by the Council using Yorkshire Forward monies. Responsibility for this grant had since passed to Homes England (HE). The funding agreement provided that the Council must obtain HE approval to any disposal and this was being sought. Funding for the redevelopment project was provided through the Town Deal and private sector investment. There was no cost to the Council.

Resolved:-

1. That Cabinet approve the disposal of the property at 32-34 Corporation Street at a less than best consideration Under Section 123 of the Local Government Act 1972 to the adjoining landowning Developer to enable continued regeneration of the Town Centre.
2. That approval be given to the Assistant Director for Planning, Regeneration and Transport to negotiate and finalise the disposal of the asset in line with the parameters established by this report.
3. That the Assistant Director of Legal Services be instructed to complete the necessary legal documentation once terms for the disposal have been agreed.

85. SCRUTINY REVIEW RECOMMENDATIONS - MARKETS: ENGAGEMENT AND RECOVERY STRATEGY

Consideration was given to the report which summarised the findings and recommendations from the Improving Places Select Commission spotlight review on 7th June, 2022. The spotlight review examined the recovery and regeneration of the markets in Rotherham Town Centre and a number of recommendations had been made. The recommendations directly for the service were contained in Appendix 1 of the report. Contributing Members were Councillors Atkin, Bennett-Sylvester, T. Collingham, Jones and Wyatt (Chair.)

The aims of this review were to receive information in respect of the following topics pertaining to the Rotherham Town Centre Markets:

- Introducing and contextualising the markets
- Describing of the current situation facing the markets
- Summarising budget and financial arrangements in respect of markets
- Navigating pandemic-related challenges
- Redeveloping the markets
- Engaging with young people
- Planning for future sustainability

Members' findings and recommendations centred around 4 areas: Re-evaluating the introductory offer, designing responsively for economic sustainability amid present day budgetary challenges, navigating redevelopment by nurturing relationships, and designing for long term success.

In accordance with the Overview and Scrutiny Procedure Rules, Cabinet was required to consider and respond to the recommendation in no more than 2 months from the date they received the report.

Resolved:-

1. That the following recommendations from the review be received:
 - a. That face-to-face consultations and clear communication be prioritised in all interactions with vendors and traders.
 - b. That the Service consult case studies and resources available in the libraries of National Association of British Markets (NABMA) and National Market Traders Federation (NMTF) to inform the redevelopment of Rotherham markets.
 - c. That the Service re-evaluate the support offer for new vendors, in consultation with the NABMA and NMTF, with a view to encouraging more new vendors to continue trading beyond the 6 months introductory period.

d. In view of relevant expert advice in respect of sustaining a market during redevelopment works, that retaining traders through the redevelopment phase be considered top priority.

e. That any redesign of market spaces duly considers usability and aesthetics, consulting market research to optimise spaces for inclusiveness and accessibility, and to make the offer especially attractive to students and young people.

f. That consideration be given to how the redesign and operation of the markets may best cater to the needs and interests of younger generations by strengthening links with Rotherham College, North Notts College and Dearne Valley College (RNN Group) student populations and extending opportunities to new entrepreneurs through the Young Traders Scheme.

g. Recognising that the Town Centre markets represent a unique and distinct community of buyers and sellers with its own accompanying needs and character, that consideration be given to the ongoing management resource required to sustain the markets economy successfully over the long term.

h. That consideration be given to design and development choices that would help the markets to incorporate cashless, up-to-date approaches to commerce that their potential customers expect.

2. That Cabinet formally consider its response to the above recommendations by February 2023, in accordance with the Overview and Scrutiny Procedure Rules.

86. COUNCIL PLAN 2022-2025 AND YEAR AHEAD DELIVERY PLAN PROGRESS UPDATE

Consideration was given to the report which was the third progress report on the Council Plan 2022-25 and the Year Ahead Delivery Plan. As of 24th November, 2022, the activities within the Year Ahead Delivery Plan were rated as follows:

- 49% (45) complete
- 39% (36) were on track to be delivered by original target date
- 4% (4) were delayed by less than 3 months
- 8% (7) would not be met within 3 months of original target date

During the meeting the Leader explained the reasons why some of the actions were off target. This related to survey results, measures of demand and reflections of the tough times facing the country (particularly in relation to unemployment figures.) Cabinet Members then highlighted areas of positivity from their portfolios along with any issues or concerns they had around missed or delayed actions.

The in-depth progress report on the Council Plan and Year Ahead Delivery Plan was attached as Appendix 1 to the report. The next update was due to be provided to Cabinet in March 2023.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board fully supported the recommendations but made a number of recommendations:

Resolved:-

That Cabinet note:

1. The overall position in relation to the Year Ahead Delivery Plan activities.
2. The Quarter 2 2022-23 data for the Council Plan performance measures.
3. The performance reporting timetable for the remainder of the 2022-2023 year.
4. The intention of OSMB to undertake a spotlight review of the effectiveness of the Consultation and Engagement Framework as part of its 2023/24 work programme.

87. ROTHERHAM PLAN 2025

Consideration was given to the report which sought endorsement of the updated Rotherham Plan which was attached to the report at Appendix 1. The original document was launched in 2017 and described how the Council and local partner organisations would work together to deliver an ambitious programme of activity through to 2025. A consultation on the updates had been conducted and the analysis of the consultation was contained in Appendix 2.

The update recognised the milestones that had been achieved since 2017 and introduced new themes in response to the significantly different national and local context. Key milestones and actions included a new university centre, the attraction of major investment highlighted by the opening of Gulliver's Valley Theme Park, the ongoing Town Centre development including new housing schemes, integrated health and social care arrangements, a range of employment support programmes, innovative social prescribing practices, and joint commitments on social value across partners.

However, more recently the Council and partner organisations had faced significant challenges, ranging from the Covid-19 pandemic, the growing urgency of climate change to the rising costs of living. The Rotherham Plan 2025 therefore aimed to build on the successes whilst responding to both emerging and long-standing challenges.

The Plan had been signed off by the Rotherham Together Partnership's Chief Executive Officer Group and Cabinet were asked to formally endorse it on behalf of the Council. If endorsed, Cabinet was also asked to agree to the establishment of a Strategic Partnership Group to oversee the delivery of the Plan and ensure connectivity across key partnership boards. It was proposed that the Chairs and one other representative from each of the involved partnership bodies (including at least one non-Rotherham MBC representative) would form a Strategic Partnership Group, to be Chaired by the Leader of the Council. Other members would include the Chair of the Rotherham Together Partnership Chief Executive Officer Group (currently the Council's Chief Executive) and an additional voluntary and community sector representative. In addition, 2 showcase events would be held each year, giving a wider range of people the opportunity to hear about the progress made, including what has been delivered and the impact that it has had.

Resolved:-

1. That Cabinet note the strategic themes and intended programme of action laid out in the Rotherham Plan 2025.
2. That Cabinet endorse the updated Rotherham Plan 2025.
3. That Cabinet agree to the establishment of a Strategic Partnership Group to oversee delivery of the Plan and delegate approval of Terms of Reference to the Chief Executive in consultation with the Leader and the Strategic Partnership Group.

88. ESTABLISHMENT OF A FINANCIAL ABUSE AND EXPLOITATION SERVICE FOR ROTHERHAM

Consideration was given to the report which set out the proposals for a new Service to prevent the financial abuse and exploitation of Rotherham residents. The proposed Service would include the recruitment of a specialist investigator dedicated to Rotherham to investigate cases where crime was suspected, the review of historic exploitation cases and the delivery of financial exploitation and abuse awareness training for key staff and partners. The Service would add to the existing safeguarding offer within the Council's Adults Safeguarding Service and the Council's Trading Standards Service to provide a more comprehensive response.

The Council's Adult Social Care Services consistently received safeguarding concerns that have an element of suspected financial abuse. Since 2019, although the number of concerns raised has

fluctuated, (223 in 2019/20, 362 cases in 2020-21 and 318 in 2021-22, 150 to date in the current year) the percentage where financial abuse was suspected had remained around the 43% mark and had been the third highest category of abuse over the 3 year period.

Deprivation was a known factor in making individuals and communities more susceptible to financial exploitation and abuse. On the Index of Multiple Deprivation 2019 (IMD 2019) Rotherham ranked the 35th most deprived upper tier local authority in England out of a total of 151 authorities. In all, 59 Rotherham neighbourhoods ranked amongst the 20% most deprived in England and 36 of these were in the top 10% most deprived. Given the context and reflective of the Council's core commitment to safeguarding and ensuring Rotherham residents were safe, healthy and live well, the Council had been developing proposals for the development of a new Service offer to further help prevent such abuse and exploitation in the Borough.

The work to establish the Service offer was delayed, principally by the impact of the pandemic, with colleagues in West Yorkshire experiencing issues with time and resources to support Council colleagues in Rotherham. Post-pandemic, discussions resumed with the necessary urgency to enable the proposals contained within this report to be finalised.

A Council working group including colleagues from Adult Social Care Strategic Safeguarding, Housing Services, Regulation and Enforcement, Finance, Performance and Business Intelligence, Procurement and South Yorkshire Police Safer Neighbourhoods Team, had worked to develop the proposal for Rotherham. If the recommendation of the report was approved, the working group would implement the Service proposal to commence activity from April 2023. The working group would also focus on developing referral pathways and associated procedures to support the implementation of the new service offer.

If approved, the proposal would supplement existing Council resources and through a procured specialist provider, include the appointment by that provider of a specialist investigator, for an initial period of 2 years, dedicated solely to Rotherham casework. The procured provider would also be asked to deliver the other activity as detailed in Section 2.5 of the report as part of the contract. The appointed investigator would be recruited and managed by the procured provider. It was envisaged that the postholder would benefit from the wider resources of the provider, in addition to building essential operational relationships with Council staff and partners.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board fully supported the recommendations but made a number of recommendations:

Resolved:-

1. That Cabinet approve the establishment of a Financial Exploitation and Abuse Service for Rotherham as detailed in Section 3 – Option 2 of the report.
2. That a briefing is circulated to update OSMB on the outcomes of the first year of delivery following appointment of a specialist service provider.

89. SCRUTINY REVIEW RECOMMENDATIONS - CULTURAL STRATEGY

Consideration was given to the report which provided a summary of findings and recommendations from a scrutiny spotlight review undertaken jointly by the Improving Places Select Commission and Improving Lives Select Commission. The aim of the review was to obtain assurances that, following the isolation associated with the pandemic and growing financial pressures on families, the Council's Cultural Strategy was responsive to these challenges. Furthermore, the review aimed to ensure the Council was delivering on its 2022-25 Council Plan objectives that local people had access to libraries, cultural activities, parks and green spaces and that children and young people have fun things to do and safe places to go.

Members of the Improving Places Select Commission and Improving Lives Select Commission met with Culture, Sport and Tourism Service leads, and the Cabinet Member for Social Inclusion. The review was undertaken by Councillors Pitchley, Atkin, Cooksey, Griffin, Havard, Keenan, McNeely, and Sansome. The resulting recommendations were endorsed by the Improving Lives Select Commission on 3rd May, 2022, on behalf of both Select Commissions which conducted the spotlight review. The recommendations were subsequently endorsed by the Overview and Scrutiny Management Board on 12th October, 2022.

Consideration was given to specific areas of work which comprised part of the current offer. Members considered those examples in determining whether there was enough evidence to provide assurances in 2 areas:

1. that there was sufficient variety and availability of cultural events to cater to diverse interests and respond to the changing needs of communities.
2. whether inclusive access to a variety of events across the Borough was sufficient to ensure that young people have fun things to do and safe places to go and that local people have access to cultural activities close to where they live.

In accordance with the Overview and Scrutiny Procedure Rules, Cabinet was required to consider and response to the recommendation in no more than 2 months from the date they received the report.

Resolved:-

1. That the following recommendations from the review be received:
 - a. That the range of available activities tailored for young residents of the Borough be prioritised for expansion.
 - b. That consideration be given to how best to expand access, especially for young people, to recreational swimming in the Borough, whilst protecting against hazards.
 - c. That the Service liaise with Children and Young People's Services to develop a system to help young carers more easily access opportunities for leisure and culture-related respite.
 - d. With a view to expanding access, that consideration be given to hosting cultural events at alternating and varied locations and venues throughout the Borough where appropriate.
2. That Cabinet formally consider its response to the above recommendations by February 2023, in accordance with the Overview and Scrutiny Procedure Rules.

90. LOCAL NEIGHBOURHOOD & ROAD SAFETY SCHEMES

Consideration was given to the report which set out proposals for the progression of the new Local Neighbourhood Road Safety (LNRS) programme and sought approval to progress to consultation in the areas set out in Tablet 2 of the report.

In July 2022 Cabinet approved the Transport Capital Programme for 2022-23. A key part of that Programme was the Local Neighbourhood and Road Safety Programme. This Programme was intended to address concerns in the community in respect of the operation of the highway network, whilst also contributing to strategic objectives. Members were invited to submit issues and concerns in Summer 2022. Following this exercise, areas for investigation had been prioritised based on Member requests received but also having regard to corporate objectives in respect of Council Plan objectives. It was proposed to deliver the Programme in 2 tranches. Areas prioritised in tranche 1 (in the period until December 2023) were listed in section 2.1 of the report, along with an initial budget.

The 12 remaining Wards fell into Tranche 2 of LNRS. These would be prioritised for inclusion in the Programme in the years 23/24 and 24/25, utilising the remaining £1,440,000 as set out in section 2.3 of the report.

Resolved:-

1. That the Programme of Tranche 1 Local Neighbourhood and Road Safety Schemes is approved as set out in Table 2.
2. That Cabinet delegates authority to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Transport and Environment and Section 151 Officer, to enter projects within the areas specified in Table 2 into the Capital Programme.

91. APPLICATION FOR MOVING TRAFFIC ENFORCEMENT POWERS (TRAFFIC MANAGEMENT ACT PART 6)

Consideration was given to the report which outlined the requirements to undertake the enforcement of Moving Traffic Offences and sought approval to delegate the submission of the Council's application for powers to the Strategic Director for Regeneration and Environment, in consultation with the Cabinet Member for Transport and Environment, following completion of the current public consultation.

The Government had committed to make Moving Traffic Enforcement Powers available to local authorities outside London, under Part 6 of the Traffic Management Act 2004. This gave the Secretary of State regulatory powers to authorise individual Transport Authorities to undertake the civil enforcement of Moving Traffic Offences to reduce congestion and improve air quality, whilst promoting active travel by removing vehicles from areas such as cycle lanes and pedestrianised areas. The offences that these Powers covered were shown in Appendix 1 to the report. The Regulations were laid before Parliament on 27th January, 2022, and introduced on 31st May, 2022. In making these Powers available, the legislative opportunity had been taken to consolidate the existing civil enforcement regimes for parking restrictions, which the Council did carry out, and the civil enforcement of bus lane contraventions which it did not currently undertake.

The Council's Parking Services would be required to develop and implement a new Parking and Moving Traffic Enforcement Policy that covered the Regulations introduced on 31st May, 2022. The updated Policy would need to consolidate the existing Civil Enforcement Policies and processes for parking restrictions and the civil enforcement of bus lane contraventions with the new restrictions introduced in the Moving Traffic Offences Legislation. This would need to include details of how the Council would charge the public for contraventions that are captured on camera and how the public can appeal these penalties.

A review and update of the Council's existing GDPR Policy (which governed data protection) would also be required to support the introduction and use of camera enforcement throughout the Borough to deliver the new Parking and Moving Traffic Enforcement Policy.

The following 5 sites met the criteria as set by the Department for Transport for the Designation of Moving Traffic Enforcement Powers:

Location	Enforcement requirement
Bridgeway (Town Centre)	Vehicle access restrictions
High Street (Town Centre)	Vehicle access period
Clifton Lane	Banned Left Turn - from Clifton Lane into Doncaster Gate
	Banned Left Turn - from Doncaster Road into Clifton Lane
Sheffield Lane, Catcliffe	No Entry
Wood Lane, Brinsworth	Bus Gate

The enforcement of Moving Traffic Offences required the use of approved camera technology and software. This would be compatible with Parking Services current system; Parking 3Sixty from Imperial Civil Enforcement Solutions.

Currently the costs associated with the outlined tasks were unknown but other authorities had specified costs of between £15,000 and £25,000 and up to £700 per month to operate and maintain, with some sites and types of restrictions needing more than one camera for effective enforcement which would increase the cost of a site further. There were also additional costs associated with dealing with representations against Parking Charge Notices (PCNs) and adjudication.

Consultation began on 11th November, 2022, and would end on or soon after 23rd December, 2022.

Resolved:-

That, subject to the current public consultation, Cabinet authorises the Strategic Director for Regeneration & Environment, in consultation with the Cabinet Member for Transport and Environment, to submit the Council's application to the Department for Transport for Powers to enforce Moving Traffic Offences under Part 6 of the Traffic Management Act (TMA) 2004.

92. TRANSFORMING CITIES FUND UPDATE

Consideration was given to the report which provided a progress update on the delivery of the Transforming Cities Fund programme. The Transforming Cities Fund aimed to improve productivity and spread prosperity through investment in public and sustainable transport in some of the largest English city regions and was first announced by Government on 20th November, 2017. The Strategic Outline Business Case (SOBC) for the Transforming Cities Fund (TCF) programme was submitted to the Department for Transport (DfT) by Sheffield City Region on 27th November, 2019. The subsequent acceptance of the £166m grant from DfT was reported at the MCA meeting on 1st June, 2020.

The Council had embarked on an ambitious active travel programme which would see the completion of key strategic active travel and public transport schemes across the Borough, as well as more local improvements. An update in respect of each project was given in Section 2 of the report.

In July 2022, Cabinet approved the Transport Capital Programme for 2022-23. A key part of that programme was the delivery of the Transforming Cities Fund active and sustainable travel programme, detailed in the table below:

Table 1 - DfT Transforming Cities Fund Programme (as of Apr 2022)

	£'000,000
Sheffield Road cycleways	£6.8
Frederick St public realm & cycleway (contribution)	£0.5
Moor Road cycleway, Manvers	£0.4
A631 Rotherham to Maltby bus corridor	£2.3
A630 Doncaster Road improvement, Dalton	£1.9
Forge Island Footbridge	£1.0
Fund subtotal	£12.9

Resolved:-

That Cabinet note the update in respect of the Transforming Cities Fund programme.

93. 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.

94. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next meeting of the Cabinet be held on Monday, 23rd January, 2023, commencing at 10.00 a.m. in Rotherham Town Hall.

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Committee Name and Date of Committee Meeting

Council – 18 January 2023

Report Title

Members Allowance Scheme Review – Appointment of the Independent Remuneration Panel

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)

Emma Hill, Head of Democratic Services

Emma.Hill@rotherham.gov.uk

Barbel Gale, Governance Manager

Barbel.Gale@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

The Local Authorities (Members Allowances) (England) Regulations, 2003 require an Independent Panel to review remuneration and pensions for Elected Members of Local Authorities at least every four years.

The purpose of this report is to note that the Independent Remuneration Panel is required to be convened to review the Members' Allowances Scheme of the Council, with a view to reporting its findings to the Council at a future meeting.

Recommendations

1. That Council notes that the Independent Remuneration Panel is required to be convened to conduct a full review of the Members' Allowances Scheme, with a view to reporting its findings to the Council at a future meeting.
2. That authority is delegated to the Assistant Chief Executive in consultation with the Monitoring Officer to appoint the 3 specific members of the Panel drawn from organisations listed in paragraph 1.4.

List of Appendices Included

None

Background Papers

The Council's Constitution, Appendix 8, Members Allowance Scheme.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

Yes

Exempt from the Press and Public

No

Members Allowance Scheme Review – Appointment of the Independent Remuneration Panel

1. Background

- 1.1 The regulations and guidance, under Section 15 of the Local Authorities (Members Allowances) (England) Regulations 2001 on Members' Allowances, sets out the requirement to have an Independent Remuneration Panel to consider any changes or amendments to the Members' Allowances Scheme every four years.
- 1.2 To comply with the legislation to undertake the required review, the Council must appoint a panel to conduct the review. Upon completion of the review the panel will report its findings to the Council.
- 1.3 In accordance with legislation, the Council should pay due regard to the recommendations which have been made to them by the independent remuneration panel. This should form part of the decision-making process when considering any changes or amendments to the Allowances Scheme.
- 1.4 The Independent Remuneration Panel are responsible for making recommendations to Council on:
 - The level of basic allowance to be paid to elected members.
 - The categories of elected Members who should receive a special responsibility allowance and the amount of such an allowance.
 - The level of the carer's allowance.
 - The level of travelling and subsistence allowances.
 - Allowances to be paid to co-opted members of the Council, where applicable.
- 1.5 Previously, the Panel has comprised of individuals representing some of the following areas:
 - Chamber of Trade – now known as Barnsley & Rotherham Chamber of Trade
 - Rotherham Health Authority – now known as The Rotherham NHS Foundation Trust
 - Rotherham Chamber TEC – No longer in existence, as noted in section 1.5 of the report
 - Regional TUC – No longer in existence, as noted in section 1.5 of the report
 - Vicar of Rotherham
 - College Representative
 - Media Representative
- 1.6 Regarding the Rotherham Chamber of TEC, this organisation is no longer in existence so will be removed from the list of possible organisations from which to choose panel members from.

Regarding the Regional TUC, this organisation is no longer in existence so will be removed from the list of possible organisations from which to choose panel members from.

Regarding the College and Media representatives. If approved representatives could be chosen from the Rotherham College and the Rotherham Advertiser as part of the Regional Media Ltd group.

2. Key Issues

- 2.1 The Panel is being convened to consider and review the Council's Members' Allowances Scheme and to recommend to Council, allowances in respect of basic allowances, special responsibility allowances, travel and subsistence allowances, carers' allowances and provisions relating to independent persons, where applicable.
- 2.2 The Panel will also consider amendments to allowances in line with the Retail Price Index.

3. Options considered and recommended proposal

- 3.1 There are no alternative options to be considered at this stage as there is a legal requirement to conduct a review of Members' Allowances every four years. This review is being carried out to meet that statutory requirement.

4. Consultation on proposal

- 4.1 Members of the Council will have the opportunity to consider the views and findings of the Independent Remuneration Panel at a future meeting and Council is required to set its Remuneration Scheme annually.
- 4.2 Members of the Independent Remuneration Panel will have the opportunity to consult with individual elected members during the review, as needed.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The Independent Remuneration Panel will be convened with a view to reporting its finding back to Council at a future meeting.

6. Financial and Procurement Advice and Implications

- 6.1 The existing budget for Members' Allowances is £921,943 in 2022/23.
- 6.2 The potential implications of any changes to the Members' Allowances budget will need to be considered when the Panel's findings are presented to Council at a future meeting.

7. Legal Advice and Implications

- 7.1 The Panel be convened under The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021) (the 2003 Regulations) to make recommendations to the Council on changes or amendments to the scheme of Members' Allowances. These regulations, arising out of the relevant provisions in the Local Government Act 2000, require all local authorities to maintain an independent remuneration panel (also known as an IRP) to review and provide advice on the councils' Members' Allowance Scheme.
- 7.2 All Councils are required to review their Members Allowances and to do so must convene their Independent Remuneration Panel to undertake the review. The Council should pay due regard to the Panel's recommendations. This is in the context whereby Full Council retains powers of determination regarding Members' allowances, both levels and scope of remuneration and other allowances/reimbursements.

8. Human Resources Advice and Implications

- 8.1 There are no human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no implications for Children and Young People and Vulnerable Adults arising from this report.

10. Equalities and Human Rights Advice and Implications

- 10.1 The Council has an obligation to review Member allowances. The allowances reflect the need to ensure that the citizens of Rotherham have the best possible representation by their elected members.
- 10.2 Appendix 8 of the Constitution provides details on the Members' Allowance Scheme which covers all allowances available including those payments available to Members who are protected by the Equality Act including Dependents Carers' Allowance.

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 There are no implications for Partners arising from this report.

13. Risks and Mitigation

- 13.1 There are no risks associated with the proposal in this report.

Accountable Officer(s)

Emma Hill, Head of Democratic Services

Emma.Hill@rotherham.gov.uk

Barbel Gale, Governance Manager

Barbel.Gale@rotherham.gov.uk

Approvals obtained on behalf of:

	Name	Date
Chief Executive	Sharon Kemp	10/01/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	10/01/23
Assistant Director of Legal Services (Monitoring Officer)	Phillip Horsfield	10/01/23
The Strategic Director with responsibility for this report	Jo Brown, Assistant Chief Executive	10/01/23
Consultation undertaken with the relevant Cabinet Member	Leader of the Council - Councillor Read	08/01/23

Report Author:

Emma Hill, Head of Democratic Services

Emma.Hill@rotherham.gov.uk

Barbel Gale, Governance Manager

Barbel.Gale@rotherham.gov.uk

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

Committee Name and Date of Committee Meeting

Council – 18 January 2023

Report Title

Membership of Political Groups on the Council, Political Balance and Entitlement to Seats

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

Not applicable

Strategic Director Approving Submission of the Report

Jo Brown, Assistant Chief Executive

Report Author(s)

Emma Hill, Head of Democratic Services
01709 823566 or emma.hill@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

Section 15 of the Local Government and Housing Act 1989, places on local authorities the duty to allocate seats to political groups and sets out the principles to be followed when determining such allocation, following formal notification of the establishment of political groups in operation on the Council.

There is a requirement to annually review the entitlement of the political groups to seats on the committees of the Council.

The allocation of seats must follow two 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

There are presently 4 political groups in operation on the Council – the Labour Group (majority), Conservative Group (opposition), Liberal Democrat (Lib Dem) Group and Rotherham Democratic Party (RDP) Group – with 2 non-aligned councillors (members who are not in a political group).

An election is due to take place in early January for a Conservative Group Leader. The outcome of this election will be noted in the Mayor's Letter.

The Political Balance of the Council has changed due to changes in the number of Conservative and Non-aligned members which took place in December 2022.

The resignation of the Rotherham Democratic Party Councillor for Keppel Ward and results of the By-Election will be factored into the Political Balance report to Council in April 2023.

There are 149 seats available on committees, boards and panels and under the calculation the Labour Group is entitled to 83 seats, the opposition Group (Conservative) has reduced from 45 to 43 seats, the Liberal Democrat Group 10 seats, the Rotherham Democratic Party Group 8 seats. The seats allocated to the non-aligned councillors have risen from 3 to 5.

Recommendations

1. The appointment of the Conservative Group Leader be noted as detailed in the Mayor's Letter.
2. To note the new political balance of the Council as a result of changes in the number of Conservative and Non-aligned members which took place in December 2022.
3. That the entitlement of the membership of the political groups be agreed and such entitlements be reflected in Council's appointments of members to committees as detailed in the Mayor's Letter.

List of Appendices Included

None

Background Papers

The Council's Constitution.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Membership of Political Groups on the Council, Political Balance and Entitlement to Seats

1. Background

- 1.1 Section 15 of the Local Government and Housing Act 1989, places on local authorities the duty to allocate seats to political groups and sets out the principles to be followed when determining such allocation. The main principles, which must be satisfied sequentially, include:
- (a) That the number of seats on ordinary Committees/Bodies which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority, as is borne by the Members of that group to the membership of the Authority (i.e. the allocation of the **total** number of seats available must mirror the political composition of the council).
 - (b) That the number of seats on the Body (Committee, etc.), which are allocated to each political group, bears the same proportion to the number of all the seats on that Body as is borne by the number of Members of that group to the membership of the Authority (i.e. the allocation of seats on **individual** committees must mirror the political composition of the council).
- 1.2 Local authorities are able to depart from the statutory provisions where there is no vote against doing so.
- 1.3 Those members not in a political group may still at the discretion of the Council, be allocated a due share of seats, although the Council will decide how to allocate seats to non-aligned councillors.
- 1.4 In line with the provisions of the Council's Constitution, appointments will be made to committees of the Council at its annual meeting. This report confirms and updates the entitlement to seats on committees.

2. Political Groups

- 2.1 The Proper Officer has received formal notification, under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, of the establishment of four political groups in operation on the Council, namely:

Name of Group	Designated Leader & Deputy Leader (Number of Members)
Labour	Leader – Councillor Chris Read Deputy Leader – Councillor Sarah Allen (33 Members)
Conservative	Leader – Detailed in Mayor's Letter Deputy Leader – Councillor Zachary Collingham (17 Members)

Name of Group	Designated Leader & Deputy Leader (Number of Members)
Liberal Democrat	Leader – Councillor Adam Carter (4 Members)
Rotherham Democratic Party	Leader – Councillor Rob Elliott (3 Members*) *Any changes in membership as a result of the By-Election will be factored into the Political Balance report to Council in April 2023.

- 2.2 Councillor Bennett-Sylvester and Councillor Wilson are unaffiliated to a political group. For the purposes of this report, Councillor Bennett-Sylvester and Councillor Wilson are regarded as non-aligned councillors.

3. Allocation of Seats

- 3.1 The existing allocation of Committee seats is as follows:

Regulatory Committees/Boards	Seats Available	L	C	LD	RDP	NA
Audit Committee	5	3	2	0	0	0
Licensing Board	21	12	6	1	1	1
Licensing Committee	15	8	5	1	1	0
Planning Board	15	8	5	1	1	0
Staffing Committee	5	3	2	0	0	0
Standards and Ethics Committee	8	4	2	1	0	1
Overview and Scrutiny	Seats Available	L	C	LD	RDP	NA
Overview & Scrutiny Management Board	12	7	3	1	1	0
Health Select Commission	18	10	5	2	1	0
Improving Lives Select Commission	18	10	5	1	2	0

Improving Places Select Commission	18	10	5	1	1	1
Other Bodies	Seats Available	L	C	LD	RDP	NA
Corporate Parenting Group	5	3	2	0	0	0
Introductory Tenancy Review Panel	4	2	1	0	0	1
Joint Consultative Committee	5	3	2	0	0	0
TOTAL	149	83	45	9	8	4

Please note that the Liberal Democrat Group are entitled to two seats on the Improving Places Select Commission however, they have chosen to gift one of those seats to the non-aligned member.

- 3.2 The revised allocation will be included in the Mayor's letter together with the nominations to those bodies.
- 3.3 The allocation process must be applied 'so far as is reasonably practicable' to achieve a balanced outcome. The allocation of the 149 seats to the political groups is determined by the following formula:

$$\frac{\text{Number of Members of Political Group}}{\text{Total Number of Members of Council}} \times \text{Number of Seats to be allocated}$$

For the 149 seats available in applying principle (a) in paragraph 1.1 and providing for seats to non-aligned members in line with the Council's custom and practice, this gives:

Political Group	New Seat Entitlement
Labour	83
Conservative	43
Liberal Democrat	10
Rotherham Democratic Party	8
Non-Aligned	5
Total	149

- 3.4 In the table in paragraph 3.1 above, the committees and panels listed have locally agreed provisions in respect of their membership which were determined by the Council. For ease of reference additional information relating to appointments is set out below:

Panel	Description of Role and Function
Employment Appeals Panel	Appeal Panels shall comprise three members of the Council selected from a pool of 8 members (two of whom shall be Cabinet Members, four who shall be scrutiny members and two whom shall be members of the opposition.)
Corporate Parenting Group	The Corporate Parenting Group shall comprise of five members (three of whom shall be from the majority political party and two of whom shall be from the majority opposition party).
Introductory Tenancy Review Panel	The Panel shall comprise of at least three elected members from the Improving Lives Scrutiny Commission or Improving Places Scrutiny Commission and a housing policy advisor.
Joint Consultative Committee	The Committee shall comprise of the Deputy Leader, two Cabinet Members and two members of an opposition group.

4. Options considered and recommended proposal

- 4.1 The Local Government and Housing Act and the Council's Constitution provide for the appointment of members to serve on committees and other bodies as a power reserved to the Council.
- 4.2 The Council may determine not to appoint to the committees at this meeting, however this will delay the conduct of the Council's business until the next available Council meeting. This option is not recommended.
- 4.3 As listed in the recommendations section at the beginning of the report, the preferred option is:
 - That the entitlement of the membership of the political groups be agreed and any entitlements be reflected in the Council's appointments to committees.

5. Consultation on proposal

- 5.1 The respective political groups have been advised of the requirement for political balance and have been requested to provide amendments to the Head of Democratic Services for the available seats ahead of this meeting.

6. Timetable and Accountability for Implementing this Decision

- 6.1 There is a requirement for the Council to make appointments to committees, boards and panels at its meeting on 18th January 2023 to ensure it is meeting its requirements relating to political balance.

7. Financial and Procurement Advice and Implications

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

8. Legal Advice and Implications

- 8.1 The legislative requirements are set out at paragraph 1.1 above.

9. Human Resources Advice and Implications

- 9.1 There are no human resources implications arising from this report.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 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.

11. Equalities and Human Rights Advice and Implications

- 11.1 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.

12. Implications for CO₂ Emissions and Climate Change

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

13. Implications for Partners

- 13.1 The appointment of councillors to serve on its committees, boards and panels is designed to have a positive impact on the Council's relationship with partners and stakeholders to enhance the relationship through the presence of accountable and elected representatives.

14. Risks and Mitigation

- 14.1 By having regard to the detail of the report above in respect of meeting statutory requirements, any risk implications will have been mitigated. Therefore, there are no risks to be borne in mind in respect of the recommendations.

Accountable Officer(s)

Barbel Gale, Governance Manager, Democratic Services
Emma Hill, Head of Democratic Services

Approvals obtained on behalf of:

	Name	Date
Chief Executive	Sharon Kemp	8/1/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	10/1/23
Assistant Director of Legal Services (Monitoring Officer)	Phillip Horsfield	10/1/23
The Strategic Director with responsibility for this report	Jo Brown, Assistant Chief Executive	10/1/23
Consultation undertaken with the relevant Cabinet Member	Leader of the Council - Councillor Read	10/1/23

Emma Hill, Head of Democratic Services
01709 823566 or emma.hill@rotherham.gov.uk

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

Committee Name and Date of Committee Meeting

Council – 18 January 2023

Report Title

Overview and Scrutiny Update

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

Katherine Harclerode, Governance Advisor
01709 254352 or katherine.harclerode@rotherham.gov.uk

Wards Affected

Borough-Wide

Report Summary

In accordance with the Overview and Scrutiny Procedure Rules, this report provides an update to Council of the activities and outcomes of Overview and Scrutiny activity at the Council. This report highlights the work of Health Select Commission and Overview and Scrutiny Management Board from June 2022 until end of December 2022.

Recommendations

1. That the report be noted.

List of Appendices Included

Appendix 1 Update from Councillor Taiba Yasseen, Chair of Health Select Commission
Appendix 2 Overview and Scrutiny Management Board Programme of Work

Background Papers

Agendas and Minutes of Health Select Commission meetings, June 2022 to present.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Overview and Scrutiny Update

1. Background

- 1.1 The Overview and Scrutiny Procedure Rules require a regular update to Council on the activities of the Overview and Scrutiny function.
- 1.2 The previous update to Council in November 2022 focussed on activities and outcomes of Improving Lives Select Commission. This update will focus on activities and outcomes of Health Select Commission and Overview and Scrutiny Management Board.

2. Key Issues

- 2.1 This report is intended as a summary of highlights and outcomes and is an indicative rather than definitive account of recent scrutiny work, which aims to hold the Council and key partners to account for decision-making, policy development, and performance. The report summarises information that is already in the public domain regarding progress, changes, or improvements resulting from recommendations and feedback provided by councillors on scrutiny committees. These include Health Select Commission, Improving Lives Select Commission, Improving Places Select Commission, and Overview and Scrutiny Management Board.
- 2.2 Although this report emphasises results, scrutiny is chiefly a discursive process rather than a product. For further insight into the process of overview and scrutiny, the archive of public meetings webcasts, reports submitted for scrutiny, and minutes of discussions leading to recommendations are available on the Council's website.

Items considered for scrutiny are added to the work programme based on three criteria:

- 1. Does the topic relate to a priority in the Council Plan 2022-2025?
- 2. Can the scrutiny process make a difference or add value?
- 3. Is the topic important to Rotherham residents?

3. Options considered and recommended proposal

- 3.1 The report is submitted for information.

4. Consultation on proposal

- 4.1 The report is submitted for information.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The report is submitted for information.

6. Financial and Procurement Advice and Implications

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

7. Legal Advice and Implications

- 7.1 There are no legal implications directly arising from this report.

8. Human Resources Advice and Implications

- 8.1 There are no Human Resource implications directly arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no implications for Children, Young People, or Vulnerable Adults directly arising from this report.

10. Equalities and Human Rights Advice and Implications

- 10.1 There are no equalities or human rights implications directly arising from this report.

11. Implications for CO₂ Emissions and Climate Change

- 11.1 There are no climate or emissions implications directly arising from this report.

12. Implications for Partners

- 12.1 There are no implications for partners directly arising from this report.

13. Risks and Mitigation

- 13.1 There are no risks directly arising from this report.

Accountable Officer(s)

Emma Hill, Head of Democratic Services and Statutory Scrutiny Officer
Katherine Harclerode, Governance Advisor

Approvals obtained on behalf of:

	Name	Date
The Strategic Director with responsibility for this report	Jo Brown, Assistant Chief Executive	04/01/23

Report Author: Katherine Harclerode, Governance Advisor

01709 254352 or katherine.harclerode@rotherham.gov.uk

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

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Appendix 1 – Update from Cllr Taiba Yasseen, Chair of Health Select Commission

As Chair of the Health Select Commission (HSC), I have been invited to provide an update to Council highlighting the activities and achievements over the past six months by Health Select Commission and, with Cllr Clark, by Overview and Scrutiny Management Board.

Health Select Commission

It is important to recognise the commitment and contributions of the sixteen Health Select Commission members, who have all brought their own experiences and insight to help achieve better health outcomes for local people. Recent events within the Health and Care sector nationally and locally have made the role of Health Scrutiny even more relevant and important than ever. Health Select Commission works with key partners like hospital trusts and wider regional partners to provide critical discourse analysis to improve policies and delivery of health and social care services.

Recommendations from scrutiny seek to make health and social care services fair, safe, and accessible for everyone at the point of need. Health Select Commission has achieved significant outcomes in the last six months in line with agreed priorities to reduce health inequalities by improving access to services and promoting prevention and early intervention approaches. The Health Select Commission seeks as part of its role to monitor changes in how health and social care services are delivered locally.

The organisation and commissioning of health services has undergone a major transformation this year. The Integrated Care Partnership (ICP) governed by the ICB (Integrated Care Board) was formed on 1 July 2022, replacing the Clinical Commissioning Group (CCG), which previously was the contracting arm of the NHS that commissioned key partners to provide health and social care services in Rotherham. Since then, Health Select Commission has monitored the relationship and collaborative processes between Council services and the newly formed ICP/ICB, also known as NHS South Yorkshire. Throughout the process, a key aim has been to ensure that Rotherham receives due regard in the formation and decision-making of the ICB and in the allocation of resources. The strategic priorities of the ICB are still in development, and HSC has been invited to provide continued examination and review. HSC will continue to appraise progress of the ICB in delivering on its priorities for Rotherham Communities.

The long-awaited decision by the Central Government regarding funding for social care has been postponed until 2025. This delay spells continued challenges for service delivery locally, especially in building a resilient and effective workforce in social care, and ensuring ready, safe discharge paths from hospitals which are crucial to releasing hospital capacity. As part of its review findings on COVID-19 Care Home Safety, HSC will make recommendations to Cabinet regarding workforce challenges in social care in January. Furthermore, the Commission will examine intermediate care and reablement in March. As the local social care contract nears its end, HSC will ask the Service to reflect on learning from the evolution of service delivery during the current contract, including the transformation of learning disability provision.

Amid this changing landscape, HSC continues its focus on efforts by all partners to reduce health inequalities by improving access to services and promoting prevention and early intervention.

Improving Access to Services

- In June 2022, HSC received a formal response from Cabinet on recommendations made as part of a spotlight review on Rotherham Community Hub. The spotlight focussed on the impact of the befriending service. The result has been a continuation of the befriending service by Rotherham Federation of Communities after the cessation of Outbreak Management Funds. The Service has reached through to all communities in an inclusive way, improving access to services. People who are vulnerable have responded profoundly to the efforts of their caring neighbours and peers.
- A consideration of Access to Dental Care delivered several recommendations to NHS England to strengthen links with schools and partnerships. HSC will continue to monitor reforms in dental care provision including regional flexible commissioning by NHS England.
- HSC received an annual update from The Rotherham NHS Foundation Trust (TRFT) in September 2022, and a further update was requested in January on steps taken to respond to pressures in the emergency department.
- Adult Mental Health Services were recommended to clear waiting lists in the memory clinic and formulation clinic to improve access to these services. Subsequently, an ambitious programme for working through these waiting lists has been implemented. Health Select Commission members know that achieving this requires diverting resources from elsewhere, so this will be monitored in the next update in January.
- Adult Mental Health Services were also recommended to improve access to their online resources by making them more accessible and reader friendly. This has prompted work to develop more inclusive resources by collaborating with Rotherham Speak Up for Autism.
- An update on Child and Adolescent Mental Health Services (CAMHS) received recommendations to ensure clear, accessible information about the offer provided to parents and carers of young people with special educational needs and disabilities.
- HSC will be making recommendations to Cabinet in March following a spotlight on Access to Primary Care.

Promoting Prevention and Early Intervention

- HSC will make recommendations to Cabinet in January from a spotlight review on COVID-19 Care Home Safety. The review sought assurances that learning from the pandemic had been captured and that care home residents and workers are now safer. The review found that although robust procedures were in place, a resilient workforce is needed to optimise care home safety for residents and workers.
- An examination of Suicide Prevention services found interventions providing bereavement support for families to be highly effective. However, early intervention work was identified as an area where improved understanding could help reduce the risk of suicide.

- On the Carers Strategy and Young Carers Strategy, HSC members recommended improving co-production and access to respite as the best way to support Carers to continue their crucial prevention work through the “Borough that Cares.”
- In June 2022, HSC received a formal response from Cabinet to recommendations from the spotlight review on Support for Young Carers. The result was the formation of Key Performance Indicators (KPIs) for the Service, and greater collaboration with local colleges and universities to help ensure young carers attain their educational goals. A holistic plan is being developed to support the transition from young carer to adult carer.
- HSC sought assurances that Services delivering diagnostic screenings for cancers had eliminated their backlog and were back to normal after the pandemic. Recommendations promoted effective communications/messaging around screening and the importance of understanding the cohorts.
- Medicine Management received consideration for its role in admission avoidance and to receive assurances on local pharmaceutical supply chains. Recommendations prompted an update of Rotherham’s Pharmaceutical Needs Assessment which is publicly available.
- In early 2023, the Commission is undertaking a Review of Oral Health. The review will span all ages with the aim of identifying areas where improvements can be made to address and prevent poor oral health.

Overview and Scrutiny Management Board

As Chair of Health Select Commission, I am also a Member of Overview and Scrutiny Management Board (OSMB) which is the scrutiny committee responsible for budget and financial scrutiny as well as monitoring performance against key strategic plans. OSMB considers key emerging issues that are of importance to the community. The Board also performs the important function of pre-decision scrutiny of a selection of decisions of Cabinet before these are agreed. In the past six months, OSMB has considered several key pre-decision items, as well as items meriting monitoring and review. A summary of its work programme is provided at Appendix 2.

Pre-decision Scrutiny

As can be seen, the pre-decision activity ranges from consideration of progress on the delivery of the Council Plan to implementation of specific initiatives such as the Household Support Fund. Arising from its scrutiny of the Council Plan (and other reports such as the Safer Rotherham Partnership Plan), the Board has agreed to undertake a spotlight review of engagement and consultation. Other issues examined include measures to improve Foster Carers’ retention with a recommendation that an annual report is submitted to monitor outcomes. Progress to deliver the flagship Forge Island development was also considered, including scrutiny of treasury management approaches and risk mitigation. Unsurprisingly given the financial volatility over the previous 12 months, the Board has received frequent updates on the budget situation and any potential impact on the Medium-Term Financial Strategy. This work will continue as OSMB scrutinises Cabinet’s future budget proposals in the forthcoming weeks.

Review Work

In respect of its review activity, following consideration of the Safer Rotherham Partnership Annual Report, the Board also agreed to undertake a spotlight review of the effectiveness of partnership arrangements to address modern slavery in Rotherham. By its very nature, this was an overview rather than in-depth analysis of the issues. Nonetheless, OSMB members had the opportunity to discuss with partners the key challenges faced, explore what was working well and exchange ideas on areas for improvement. Recommendations will be submitted to Cabinet shortly.

Work is also underway by OSMB to examine the cost-of-living crisis as part of its work programme activity. OSMB members met with officers in late 2022 to understand the work the Council and its partners were co-ordinating or undertaking to support people facing hardship. OSMB will undertake a series of focussed scrutiny spotlight reviews, visits and meetings, with activity spread out over the year.

Council has referred several items to OSMB over the course of the municipal year, most recently a motion on bye-laws. Work has started to consider how this can be addressed alongside other priorities identified by the Board.

Equalities and Inclusion

In my role as Chair of HSC and as a member of OSMB, I have seen how scrutiny can bring equalities and inclusion into focus across the work of the Council and partners, to ensure accountability. This is especially important in consultations and engagement with BAME communities, disabled people and other equality groups within Rotherham. I note the progress made by the RotherFed befriending service to tackle health inequalities and prevent loneliness. This is an example of how an inclusive approach can improve services and create opportunities for more people. In an upcoming spotlight, OSMB will be considering how consultation and engagement efforts could be more inclusive and better reflect the diverse perspectives of Rotherham residents. I continue to encourage Rotherham's decision makers to be bold and unwavering in their willingness to innovate and work with local communities to develop solutions to the challenges we face. I look forward to pursuing and progressing scrutiny and facilitating the involvement of local communities in the outcomes from scrutiny in 2023.

Councillor Taiba Yasseen

Appendix 2: Overview and Scrutiny Management Board – Work Programme 2022-23

Meeting Date	Agenda Item
11 May 2022	Petition – Improve Road safety on Cumwell Lane Town Deal and Levelling Up Fund: Update and Implementation Household Support Fund
27 May 2022 – Special Meeting	Rotherham Safeguarding Children Partnership CSE Review Final Report.
15 June 2022	Finance Update Equality, Diversity and Inclusion Strategy (2022/2025), Action Plan 2022/2023) and Annual Report (2021/2022) Rotherham Safeguarding Children Partnership CSE Review Final Report. Operation Linden
6 July 2022	Annual Housing Development Report 2022-23 Children's Commissioners Takeover Challenge - Climate Change
14 September 2022	Council Plan 2022-2025 and Year Ahead Delivery Plan Progress report July 2022/23 Financial Monitoring Report Safer Rotherham Partnership Plan 2022-25 Household Support Fund
12 October 2022	Foster Carer Fees and Development of In-House Retention Offer Proposals for Day Opportunities for People with High Support Needs Forge Island Implementation Scrutiny Review – Cultural Strategy Scrutiny Review – Markets Engagement and Recovery
1 November 2022	Modern Slavery – Spotlight Review
16 November 2022	Pre-decision Scrutiny Items Social Value Mid-Year Review
1 December NEW	Cumwell Lane Petition - update Complaints Annual Report
14 December 2022	Council Plan 2022-2025 and Year Ahead Delivery Plan Progress report Establishment of a Financial Abuse and Exploitation Service for Rotherham Safer Rotherham Partnership Annual Report. Scrutiny Review Recommendations - COVID-19 Care Home Safety

19 January 2023 (TBC)	Housing Revenue Account Rents and Service Charges HRA Business Plan Future Provision for Household Waste Recycling Centres
8 February 2023	Budget and Council Tax Report 2023/24 Financial Inclusion Strategy
22 February 2023	TBC
15 March 2023	Council Plan 2022-2025 and Year Ahead Delivery Plan Progress report
March (TBC)	Children's Commissioner's Take Over Challenge
19 April 2023	TBC
10 May 2023	TBC

Items for Scheduling

Finance/Budget Setting	Resolved at the 14 July meeting: That a report be presented at a future meeting of the Overview and Scrutiny Management Board that details how the changes that have been made to how the Council operates and provides services as a result of the pandemic have informed budget management procedures, and whether these changes to how the Council operates have highlighted any new opportunities where future budget savings could potentially be made.
CYPS Performance monitoring	Workshop session on CYPS Performance monitoring
CYPS Invest to Save	To scrutinise the impact of "Invest to Save" initiatives across CYPS
Cost of Living	Work Commencing December 2022
Adult Care Services Commissioning	To look in further detail the commissioning process for adult care services. Requested at the 9 February meeting.
Census	2012 and April 2013 reported to OSMB previously.
Notice of Motion - Byelaws	Referred from the Council Meeting 30 November 2022. Ask the Overview and Scrutiny Management Board to consider within its work programme the listed potential actions, making any recommendations they deem necessary, and require the proposer of this motion to be part of this Scrutiny activity
Review of engagement and consultation activity	Agreed at OSMB 14 December 2022. To be scheduled in 2023/24 work programme.

HELLABY AND MALTBY WEST WARD

Covering Cliff Hills, Hellaby, Hooton Levitt and West Maltby



Councillor
Jenny Andrews



Councillor
Simon Ball

Report to Full Council

January 2023

Ward Priorities

- Protecting and improving the environment
- Support and develop initiatives to increase community and individuals' wellbeing
- Identify and support initiatives that improve Road safety

How these Ward Priorities were agreed

- **Listening to residents.** We know our residents are passionate about making their community a better place to live and we are here to work in partnership and make these improvements a reality
- **Consulting with council officers and partners.** Officers and organisations who work within the Ward and the community have years of experience. The information and intelligence they gain is vital.
- **Looking at Ward statistics and other data.** Information on the demography and geography of the area is important, so we can best support the needs of the Ward.

How these Ward Priorities support the Thriving Neighbourhoods Strategy

Supporting the Thriving Neighbourhood Strategy is embedded in work we do as Ward Councillors, when supporting communities and delivering on our Ward Priorities. Our Ward Priorities follow the same aim to **'Put communities at the heart of everything we do and to make people healthier, happier, safer and proud'**.

Working with communities on the things that matter to them: An example of this can be seen through our work in Hellaby Village. A rise in home burglaries raised community concerns and residents asked for our support. As Ward Councillors, we worked with partners to give residents information and supported them to form a Neighbourhood Watch. We also funded home security goods and arranged community meetings.

Listening and working together to make a difference: As Ward Councillors, we are constantly out and about in our Ward, listening to residents and visiting community groups, along with offering regular opportunities for residents to attend Ward surgeries.

Supporting people from different backgrounds to get on well together: The Covid pandemic and Lockdowns meant that many people felt isolated. We recognised that opportunities for communities coming together now, is even more important. Throughout our Ward, we support community groups so that they can thrive, through investing our time and using our Community Leadership Funding. We have supported family events and created opportunities for people from different backgrounds and ages to meet each other. Events have been made free for residents, thus taking away any financial barriers.

Progress so far

Ward Priority 1 - Protecting and improving the environment

Hellaby Park Improvements

Hellaby Park is a fantastic green space. However, after consulting with young families, grandparents and childminders that used it, we identified some improvements needed including the drainage of spring water, seating, and new play equipment.

Over the past year, we have created a place to rest, with a new park bench. A place to play, by funding free family fun days and supporting new play equipment. A place to plan the next day, with a new community noticeboard.

We have also contributed Community Leadership Funds to relay a path through a Green Space off Lilly Hill Road. Over the years the path had degraded, which created a trip hazard and issues for those with prams, or wheelchairs.



Cleaner Neighbourhood

Our urban environment is just as important, and we want residents to be proud of where they live. We have funded multiple community skips, supporting residents to dispose of unwanted household and garden items. We have spent time walking through the streets and parks litter picking. Walkabouts have taken place with partners such as the Police and Council officers to identify areas that need extra cleaning or improved resources. Countless reports to the Council have been submitted to help keep our street safe and clean. Reports included identifying fly-tipping, broken streetlights and raised manholes. Importantly, we follow up on our reports to ensure action has been taken.

Ward Priority 2 - Support and develop initiatives to increase community and individuals' wellbeing

Supporting people improve their health and social opportunities

Partnership events with Hellaby Parish Council such as the Queens Jubilee event, funding for the Memorial Tree and Hog Roast. First aid, 'bleed kits' have been purchased and placed in defibrillator cases across the Ward. We funded activities to support the delivery of events within 'Dementia Action Week' to help people living with Dementia. Falls and Fitness Prevention classes for those who mobility was affected by Covid Lockdowns were funded. Funding for Lost Chord Care home visits was provided, in addition to concerts and singalongs. Time has also been spent visiting and supporting community groups so that they can thrive.

Supporting Families with the cost of living and Wellbeing

Community Leadership Funding was given a range of projects. We provided a new fridge and food donation for Maltby Food Bank. Goods were purchased for Christmas Hampers to be distributed by Maltby Town Council. Refreshments for the Warm Hub at Maltby Library were paid for. A free family fun day at Hellaby Park was organised, which included a giant Bouncy Castle. We provided children Christmas gifts and a Reindeer visit at the Stepping Stones Early Help event. We have organised several wellbeing events that bring together organisations in local venues who offer financial, health and wellbeing support to residents.

Ward Priority 3 - Identify and support initiatives that improve Road Safety

Improving road safety and environment around Laburnum Parade

Ward Councillors were given the opportunity to bid for funding from the Towns and Villages Fund to improve the area around the Laburnum retail outlets. The limited parking for shoppers meant that vehicles often double parked on the narrow road or took up residential parking spaces. The grass and footpaths were becoming damaged, and residents were finding it hard to access the shopping area.



Now there are marked out parking spaces for shoppers, reducing the double parking and giving pedestrians a clear and safe crossing point to the shops. The damaged paths have been re-laid with textured crossing areas and additional safety bollards. The new path from the bus stop and green space leads into communal area, where benches and bedding plants have created a space to rest and chat. CCTV has been installed, providing security to businesses and the public. Cables for Electric Vehicle charging points were installed, trees will be planted, and Daffodil bulbs have already been planted, which will give the local area some spring colour.

School parking buddies

Using Capital Funding we invested in 6 new parking buddies to help Lilly Hall and Redwood Junior Schools with their campaign for better road safety. Both schools are pleased that the parking buddies are making people think about road and pedestrian safety. There has been a reduction in the number of parked cars causing difficulties for children to cross over the road safely to School. As Ward Councillors, we also campaign for safer and improved roads and by listening to your concerns we have been able to direct funds where you want them. Speeding vehicles is also an issue and by working with the Police, we have executed speed watches in the areas you have highlighted as a concern.

Working in partnership

We value and call on the experience and knowledge of teams in the Council, as well as other external organisations. This can be in the form of our regular monthly Community Action Partnership meetings, to share information and tackle issues jointly, with core stakeholders such as the Police, Schools, Fire service and Parish Councils.

Another form of joint working has involved multi-agency events to support the needs of residents. We brought together organisations on roadshows to showcase the support they provide. Organisations we have worked with include:

- Rotherham Federation, with projects and events aimed to support residents with financial worries 'Making Our Money Go Further and ' Energy Know How'
- Lost Chord and Age UK, with numerous community groups, events, concerts and singalongs
- Flux Rotherham and the Early Help Team to invest in youth activity and free family fun
- Rotherham United Community Sport Trust, Functional Fitness, South Yorkshire Sport and Places for People Leisure Centre to support health and wellbeing
- Maltby and Hellaby's Neighbourhood Police Team
- Council Officers including Lisa Morgan in Housing and Claire Moseley in Neighbourhoods

MALTBY EAST WARD

Covering Maltby Town Centre and East Maltby



Councillor
Lee Hunter



Councillor
Adam Tinsley

Report to Full Council

January 2023

Ward priorities

1. Improving opportunities and facilities for children and young people
2. Support existing and new community groups thrive and develop
3. Develop and support initiatives to improve community safety and the environment
4. Support Maltby's local economy and improve the High Steet environment

How these Ward priorities were agreed

Listening to residents and businesses, many of whom told us that they are proud of their town and wanted to see improvements along the High Street to support the local economy.

Analysing Statistics. We identified that the percentage of 0 to 15 year olds in the overall population of Maltby East was above average for Rotherham and child poverty is well above the borough average. This supported our priority to improve opportunities and facilities for children and young people.

Liaising with local organisations and partners gives us additional information on what facilities and support Maltby East requires. One such partner is our Neighbourhood Policing Team who we meet on a regular basis to discuss crime statistics and local intelligence.

How these Ward priorities support the Thriving Neighbourhoods Strategy

Working with communities on the things that matter to them. An example of this can be found in our work supporting residents with the Cost of Living. Working with organisations such as Rotherfed and Citizens Advice, we delivered information and wellbeing activity mornings to signpost residents to support, promoting free local activities and community groups.

Listening and working together to make a difference. Stopping to chat with residents while on walkabouts, litter picks, or by visiting community groups are examples of this. Ward surgeries allow residents to drop in and raise concerns.

Supporting people from different backgrounds to get on well together. Working with the Neighbourhoods Team we have organised or supported events and activities in the Ward are for everyone and are inter-generational. The events and activities have been free, taking away any financial barriers.

Progress so far

Ward Priority 1: Improving opportunities and facilities for children and young people

This year, we worked with a range of sport and art partners to deliver free summer holiday events in local parks, for the whole family to enjoy. These events were very well attended, and we received positive feedback.

We supported opportunities to improve the environment at Cherry Tree Park. Working with the Council's Green Spaces and Woodland Teams, approximately 70 large tree saplings were planted along the paths. We organised school visits to the park to deliver fun environmental education, craft, and sport sessions. With the funding from the Public Health, 'Moving in Nature' project, we bought games equipment to deliver further activities. In addition, at the park we provided funding for a larger litter bin and arranged for the removal of the damaged bins in the play area.

Finally, we are meeting with schools and youth organisations to map and develop young people's activities throughout the Ward.



Ward Priority 2: Support existing and new community groups thrive and develop

Following on from the pandemic, we knew that many residents felt isolated or lonely. We wanted to support community groups to help improve the wellbeing of our residents.

Councillors organised and funded activities within Maltby in support of 'Dementia Action Week'. A monthly community singalong event at the Salvation Army Church was supported. Funding was provided for a 'Falls and Fitness' prevention classes for people whose mobility was affected by Covid Lockdowns. Community concerts in care homes were delivered by Lost Chord through Ward funding. Visits to community groups including the Model Village Association took place. Ward Councillors supported the group to purchase new equipment to help their community become litter free. Funding was provided to help Maltby Library create a Community Warm Hub.

Ward Priority 3: Develop and Support initiatives to improve community safety and the environment

Working with the Police: Involving Maltby East Neighbourhood Police Team in our community events to meet residents and answer concerns. Providing funding to purchase a large stock of home security items to deter and protect people's homes from burglars.

Road safety: Funding provided for parking buddies at each Junior School, holding up slogans such as 'think before you park'. Exploring initiatives to support Community Speed Watches. Meeting with Highways officers to direct funds where residents want it.

First aid improvements: Funding provided to Aldersgate Care Home to purchase a defibrillator. Purchase of emergency bleed kits to be stored within existing roadside defibrillators in the Ward.

Improving the urban environment: Providing large community skips to help households clear out unwanted goods from the home and garden. Working with partners such as South Yorkshire Housing Association, the Council's Environmental Health and Housing teams to support residents with garden waste, fly-tipping and contaminated bins. Organising Community Blitz days where multi-agency support helps to clear neighbourhoods.

Ward Priority 4: Support Maltby local economy and improve the High Street environment

Tackling anti-social Behaviour: We supported the Police and Rotherham Council's Enforcement Team to tackle anti-social behaviour with varied tactics, including supporting the Towns and Villages Fund to create a Masterplan of High Street improvements and funding bids. We campaigned for more CCTV coverage on our High Street and surrounding businesses. There are now 10 CCTV cameras along the High Street and 15 in Coronation Park.

Crime Commissioner visit: We arranged a Maltby walkabout with Crime Commissioner, Alan Billings to discuss issues including anti-social behaviour in Maltby. We also visited areas such as the Model Village and Coronation Park. Follow up visits around designing out crime, extra police patrols and the provision of CCTV were implemented.

Supporting Business and improving the High Street experience: Commercial burglaries and anti-social behaviour on the High Street were a problem at the beginning of the year. We worked with the Police to initiate a range of actions. We arranged community meetings to support residents and businesses share their concerns and intelligence.

Extra CCTV cameras and increased Police patrols are in place, resulting in a reduction of commercial burglaries on the High Street. Visits to the CCTV control room in Doncaster took place to learn how the system works and to feedback to the shop owners on the coverage and high quality. Supporting the setup of a WhatsApp group for the High Street owners, to aid with communication.

We supported events in the High Street to encourage family engagement and provide further activities for young people. We also want to bring people from out of Maltby to the High Street, thus increase the numbers of shoppers. We teamed up with Flux Rotherham and Lost Chord to deliver a Christmas event with the 'Picturing Maltby' Project.

Working in partnership

To effectively deliver our Ward priorities, we work with a range of organisations within the Maltby East Ward, drawing on their knowledge and expertise. We thank all the organisations and partners we work with that support our Community.



AUDIT COMMITTEE
29th November, 2022

Present:- Councillor Baker-Rogers (in the Chair); Councillors Cowen, Mills and Wyatt.

Gareth Mills and Thilina de Zoysa (Grant Thornton) were also in attendance.

An apology for absence was received from John Barber (Independent Person).

44. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

45. QUESTIONS FROM MEMBERS OF THE PUBLIC OR THE PRESS

No questions had been received.

46. 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 Minute No. 58 (Regeneration and Environment Directorate Risk Register – Appendix 1) as it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

47. MINUTES OF THE PREVIOUS MEETING HELD ON 27TH SEPTEMBER, 2022

Consideration was given to the minutes of the previous meeting of the Audit Committee held on 27th September, 2022.

Resolved:- That the minutes of the previous meeting of the Audit Committee be approved as a correct record of proceedings.

48. GOVERNANCE, AUDIT AND RISK

Sharon Kemp, Chief Executive, gave the following powerpoint presentation:-

AUDIT COMMITTEE - 29/11/22

Personal Oversight

- Monthly receipt of Internal Audit reports
- Regular Monitoring Officer meetings
- Quarterly Statutory Officers meetings
 - Complaints
 - Human Resources
 - Internal Audit
 - Whistleblowing
- Quarterly External Auditor meetings
- Review and sign off of Annual Governance Statement

Strategic Leadership Team

- Internal Audit
 - Review Annual Plan and Annual Report
 - Regular review of progress against plan and reports issued
- External Inspections
 - Review completion of actions
- Quarterly review of Corporate Risk Register

Action Tracking

- Review of outstanding actions
- Progress in clearing deferred actions
 - 41 2 years ago – improved to single figures in 2021, maintained at that level in 2022. Currently 3
 - Second deferrals – personal authorisation

Discussion ensued with the following issues highlighted:-

- Importance of having annual engagement between the Chief Executive and Audit Committee
- Check and challenge work took place to ascertain if there were any issues that required correlating but there were no obvious trends/patterns identified currently
- In line with LGA good practice, quarterly meetings took place with the Monitoring and Section 151 Officers and the Chief Executive who in turn took those discussions into their respective leadership teams
- The relationship with External Audit was very important who reported on issues raised within the sector

It was noted new rules/practice guide had been issued around Audit Committees; a document regarding the role of Audit Committees and secondly with regard to the officers supporting such Committees. A report would be submitted to the January meeting summarising the guidelines and processes and outlining any possible changes the Committee may wish to consider.

Resolved:- That the presentation be noted.

49. AUDITED STATEMENT OF ACCOUNTS 2021/22

Further to Minute Nos. 19 and 35 of 28th July and 27th September, 2022, respectively, Rob Mahon, Assistant Director, and Gareth Mills, on behalf of Grant Thornton, presented the ISA 260 report.

At this point Grant Thornton were not able to provide an unqualified opinion on the Statement of Account, however, they were not indicating any significant issues outside of the national issue with infrastructure assets.

Infrastructure assets was a national issue with local authority approaches and accounting treatment for such. The issue had been raised as part of other local authority 2020/21 account reviews and had since been progressed by CIPFA. Historically this had not been considered to be an area of significant audit risk, however, due to historical information deficits, many authorities were unable to provide sufficient evidence of the value of replaced components of infrastructure assets when they were derecognised. This had led to delays to audit completion for many authorities and the risk of widespread accounts qualifications. The Government had undertaken to review the necessity for an accounting statutory override whereby, under the Local Government Act 2003, it may make provision for local authority accounting practices. This was due to be confirmed in December, 2022. The override would allow local authorities using the override to not make any prior period adjustments or revisit opening balances until a workable future proof solution was in place.

None of the following impacted on the Council's budget position or outturn position for 2021/22:-

- A material adjustment identified in relation to the carrying of plant, vehicles and equipment (PVE) assets held by the Council
- 4 assets identified as requiring a change in category
- Amendment of the Statement of Accounts to show the reserve transfer in 2020/21 of the deficit balance on the Dedicated Schools Grant
- Demolition of the Oaks Day Centre which should have been impaired

Gareth Mills presented the ISA 260 noting that it could not be formally signed off until January, 2023, due to the national issues reported above.

The report highlighted:-

- A small number of IT based recommendations that would be followed up in 2022/23
- Assurance letter awaited from South Yorkshire Pensions Fund confirming no issues from the pension fund audit

AUDIT COMMITTEE - 29/11/22

- Value for Money work underway and hoped to conclude by the end of January, 2023. No significant issues or weaknesses had been identified to prevent signing an opinion
- Materiality levels remained consistent with the Audit Plan
- No issues identified in respect of management override of controls
- Immaterial disclosure errors, as reported above, but had no impact on the Council's useable Reserves and management had amended the accounts to correct this
- Implementation of Special Educational Needs and Disabilities (SEND) reforms and DSG deficit would be areas of focus

Grant Thornton expected to issue a clean unqualified audit opinion in January, 2023.

Discussion ensued with the following issues raised/clarified:-

- The issue of infrastructure assets was first raised by auditors in the Spring. It had been expected that the Statutory Instrument would be live by now but the events nationally during the past 3 months had caused a delay
- It was not known why the letter from the South Yorkshire Pensions Fund auditors was delayed but suspected it was due to the pressure of work

Resolved:- (1) That, having taken regard of the External Audit findings, detailed within the ISA260 report, the 2021/22 Statement of Accounts, attached as Appendix 2 to the report submitted, be approved for publication as final together with the 2021/22 Narrative Report, attached as Appendix 3.

(2) That the ISA 260 be submitted to a future Audit Committee for review following the outcome of the infrastructure statutory override at which point the External Auditor will be in a position to provide their opinion on the Council's accounts.

50. ANNUAL GOVERNANCE STATEMENT 2021/22

David Webster, Head of Internal Audit, presented the Annual Governance Statement (AGS) for approval. The draft AGS had been presented to the Committee in July 2022 for the 2021/22 financial year and was published with the Council's financial statements. It was further reviewed at the 27th September Committee meeting and published with the Council's financial statements, however, at that time the External Auditors, Grant Thornton, had not concluded their review of the AGS.

That review was now complete with a few points raised resulting in minor amendments to the AGS. The report submitted provided an update on the changes made i.e.

- Inclusion of the award for Most Improved Authority in 2021/22 at the Local Government Awards in July 2022 (paragraph 3.2)
- Correction of the reporting of Grant Thornton's 2020/21 annual report (paragraph 3.12)
- Paragraphs 4.4-4.7 updated to show the current position
- Paragraph 5.2 amended to show how the action plan was being monitored and reported

The full AGS was attached as Appendix A of the report submitted.

Resolved:- That the 2021/22 Annual Governance Statement be approved.

51. INFORMATION GOVERNANCE/GDPR ANNUAL REPORT 2021/22

Consideration was given to an update and annual report presented by Paul Vessey, Head of Information Management, on the Council's compliance with the General Data Protection Regulation (GDPR) and the Data Protection Act (DPA).

Monitoring of the Council's compliance with GDPR and DPA was carried out by the Corporate Information Governance Group (CIGG) which had representatives from all Directorates and chaired by the Council's Senior Information Risk Officer (SIRO). Any risks relating to Information Governance, including GDPR and Data Protection were monitored on a regular basis by the group. Risks and actions were logged and reviewed at CIGG meetings and, if necessary, escalated in line with the Council's risk management processes.

The key issues were:-

- Maintain compliance
Compliance with Data Protection principles was a continuous project
CIGG fulfilled a core function in monitoring and overseeing information risks
Regularly monitored the effectiveness of the Council's Data Protection Policies and each Directorate's Information Governance and Data Protection processes
- Monitor performance of Freedom of Information (FOI) and Right of Access requests
Right of Access requests performance was below the target of 100% completion within the statutory time limits due to the large number of complex requests involving large volumes of historical data, Children's Services and often linked to CSE
An increase in the number of both requests received and those responded to within the statutory time period
Overall number of Freedom of Information requests received had remained static with a small decline in the number of requests responded to within the statutory time period

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No valid Freedom of Information requests have been refused except for one Single Refusal Notice issued for vexatious requests

Appendix 1 of the report submitted provided performance for the last 4 financial years.

- Data Protection Incidents and Breaches
One data breach was reported to the Information Commissioner's Office (ICO) in 2021/22. This was a processing oversight by a small partner business and was contained. Following submission of a full report to the Information Commissioner no further action was required

Discussion issued with the following issues raised/clarified:-

- Although no definite implications for not completing 100% of FOIs/RoARs on time, there would be an instruction from the ICO and possibly legislation applied if it was to decline to 20% compliance
- The internal target for RoARs completed on time was 90%
- Early action had been taken with the information security incidents particularly the "disclosed in error" incidents. Each incident was reported to the Directorate and to each representative on the Corporate Information Governance Group

Resolved:- (1) That the General Data Protection Regulation annual report 2021/22 be noted.

(2) That the legal requirement of the Council continuing its maintenance of its Information Governance policies and processes in compliance with legislation be noted.

(3) That future reports include the previous year's figures for data incidents (Appendix 2) to enable comparisons to be made/any trends that need to be addressed by Directorates.

52. MID-YEAR TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS MONITORING REPORT - 2022/23

Consideration was given to the report presented by Rob Mahon, Assistant Director, outlining the mid-year treasury review which also incorporated the needs of the Prudential Code to ensure adequate monitoring of the capital expenditure plans and the Council's Prudential Indicators.

The review, as set out in the Appendix submitted, provided detail of mid-year performance against the plan, the key changes to the Council's capital activity (the PIs) and the actual and proposed treasury management activity (borrowing and investment).

With regard to investments, the primary governing principle remained security over return and the criteria for selecting counterparties continued to reflect this.

The Council would maintain its strategy of being under-borrowed against the capital financing requirement. The Council borrowed £227M of long term PWLB funds during 2021/22 to take advantage of the low PWLB interest rates available at the time. This replaced short term borrowing as it matured. No borrowing had taken place during 2022/23 as the Council had cash balances remaining from the borrowing taken in 2021/22 that it had been able to invest on a short term basis to generate additional income for the Council. Making use of the current financial market conditions had lifted investment returns.

It was not expected that the Council would need to borrow any funds for the remainder of the 2022/23 financial year and, as a result, had made significant savings on borrowing costs against the plan set out in the Medium Term Financial Strategy as the Council had not been required to borrow in the current high interest rate market. The borrowing position would remain under review and an update of the Strategy would be submitted to Members within the Budget and Council Tax 2022/23 report to Council in March 2022.

All governance, strategies and monitoring were undertaken by the Audit Committee.

The report illustrated how, whilst the Council's approach to Treasury Management in recent year had in particular been to utilise short term borrowing which had generated significant savings for the Council, essential to achieving balanced budgets, the future outlook was more challenging. With increasing bank rates for borrowing, when the Council did need to borrow it would be at much higher levels than had been assumed in the Medium Term Financial Strategy. It was expected that borrowing rates would reduce over the next couple of years linked to the projections that inflation would return to the Bank of England's target 2% level.

PWLB rates fluctuated; during 2022/23 to date the rates had seen highs of 5.5% for a 50 year PWLB loan and lows of 2.42% with the 50 year rate currently standing at 3.87%. This further emphasised the positive deals that the Council took during 2021/22 with the £227M being borrowed at an average of 1.53%. Short term borrowing rates had also increased with 6 month borrowing rates standing at around 3.1% compared with 0.02% September 2021. This had not affected the Council's borrowing costs during 2022/23 as no borrowing had been taken and rates had not changed on existing loans.

The Council continued to keep interest rates under constant review within its borrowing strategies and decisions on the mix of long term and short term borrowing.

It was confirmed that the basis of the Treasury Management Strategy, the Investment Strategy and the Pls had not changed from that set out in the approved Treasury Management Strategy (March 2022).

Resolved:- That the report be noted.

53. CODE OF CORPORATE GOVERNANCE 2022

Simon Dennis, Corporate Improvement and Risk Manager, submitted the refreshed Council Code of Corporate Governance for consideration. There had been no new revisions to the CIPFA (the Chartered Institute of Public Finance and Accountancy) and SOLACE (the Society of Local Authority Chief Executives) guidance on delivering good governance in local government. However, it was good practice to review and revise the Council Code on an annual basis.

An annual review of the Code had been completed to ensure it remained up-to-date and relevant to the Council. Amendments had been made to remove elements of the Council's response to the Covid-19 pandemic as it had developed as well as other minor amendments where necessary.

The 7 key principles set out in the guidance which underpinned the governance of each local government organisation had not changed. The Rotherham Code followed each of the principles and demonstrated how they were applied and evidenced in practice.

Resolved:- That the refreshed version of the Code of Corporate Governance be approved.

54. RISK MANAGEMENT POLICY AND GUIDE REFRESH 2022

Further to Minute No. 60 of the meeting held on 30th November, 2021, Simon Dennis, Corporate Risk Manager, submitted proposed changes to the Risk Policy and Strategy.

The changes to the Policy and Guidance were minimal, however, the Risk Management Policy was submitted as a separate document so that it could be formally adopted by Cabinet. In order to ensure that the Policy could be read in isolation, some additional information had been included which had previously only appeared in the Guide.

In the course of the coming year, work would continue to ensure the Council's approach to risk management was well embedded across all projects and all staff, by providing training, clear guidance, supporting the Risk Champions and reporting according to agreed timelines.

Resolved:- (1) That the Risk Management Policy be noted.

(2) That the Risk Management Guide be approved.

55. INTERNAL AUDIT PROGRESS REPORT FOR THE PERIOD 1ST SEPTEMBER 2022 TO 31ST OCTOBER 2022

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 September to 31st October, 2022, and the key issues that had arisen therefrom.

The current position of the plan was outlined in Appendix A to the report together with changes to the plan as a result of meetings with all Directorate Leadership Teams summarised in Appendix B. In the year to date the Service has delivered 563 days of productive work showing it as on target for the year as a whole.

6 audits had been finalised since the last Committee meeting one of which had received Partial Assurance, one had received Reasonable Assurance and 4 had received Substantial Assurance as set out in Appendix C to the report.

Internal Audit's performance against a number of indicators was summarised in Appendix D. Targets were met apart from the issuing of reports in the planned time which had been affected by annual leave.

It was noted that one of the Principal Auditors had taken flexible retirement as from 1st October, 2022, reducing his hours from full-time to 2 days a week. Recruitment had been completed for an additional full-time Senior Auditor with a successful internal candidate. This would enhance capacity in the medium term and aid business continuity and succession planning, however, in the short term there would be a shortfall in resource. The plan would be monitored to ensure that sufficient coverage was maintained.

The training for the recently purchased Data Analytics software had been completed.

Resolved:- (1) That the Internal Audit work undertaken since the last Audit Committee, 1st September, 2022 to 31st October, 2022, and the key issues that have arisen from it be noted.

(2) That the information contained regarding the performance of Internal Audit and then actions being taken by management in respect of their performance be noted.

56. AUDIT COMMITTEE FORWARD WORK PLAN

Consideration was given to the proposed forward work plan for the Audit Committee covering the period March to November, 2023.

It was noted that there would be 2 additional reports submitted to the January meeting i.e. final Statement of Accounts and CIPFA updated guidance for Audit Committees.

Gareth Mills, Grant Thornton, reported that a verbal update could be provided to the January meeting with regard to the Value for Money work which would hopefully be concluded by the end of January. The report could be circulated to the Committee, once agreed with the Strategic Director of Finance and Customer Services, as the following meeting was not until 14th March, 2023.

Resolved: That the Audit Committee forward work plan, as now submitted, be approved.

57. REGENERATION AND ENVIRONMENT DIRECTORATE RISK MANAGEMENT DIRECTORATE

Paul Woodcock, Strategic Director Regeneration and Environment, supported by Simon Moss (Planning, Regeneration and Transport) and Polly Hamilton (Culture, Sport and Tourism), presented a report providing details of the Risk Register and risk management activity within the Regeneration and Environment's Directorate.

4 of the 19 risks also feature on the Council's Strategic Risk Register i.e.

- To Maintain a Safe and Operational Property Estate
- Achieving Economic Growth
- Reduction of Carbon Emissions for the Council and the Borough
- Management and Delivery of Projects, Schemes and Initiatives through numerous sources of external funding

Discussion ensued with the following issues raised:-

- Bridge structures represented risks as the recent failure on Centenary Way illustrated. However, there was a well established process for inspecting bridges on a periodic basis
- Some elements of the risks were not within the Council's overall influence control i.e. achieving economic growth so mainly focussed on the plans for regeneration and business centres and work across the Combined Authorities
- Currently energy charges was still on the Directorate register and was about working the Yorkshire Purchasing Organisation and procurement partners

Resolved:- That the progress and current position in relation to risk management activity in the Regeneration and Environment Directorate be noted.

58. ITEMS FOR REFERRAL FOR SCRUTINY

There were no items for referral.

59. URGENT BUSINESS

There was no urgent business to be considered.

60. DATE AND TIME OF NEXT MEETING

Resolved:- That a further meeting be held on Tuesday, 10th January, 2023, commencing at 2.00 p.m.

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**LICENSING SUB-COMMITTEE
29th November, 2022**

Present:- Councillor Hughes (in the Chair); Councillors Jones and McNeely.

15. CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.51 OF THE LICENSING ACT 2003) FOR THE REVIEW OF THE PREMISES LICENCE ISSUED TO EI GROUP LIMITED IN RESPECT OF THE PREMISES KNOWN AS THE JOKER SITUATED AT BLACKTHORN AVENUE, BRAMLEY, ROTHERHAM, S66 2LU

Consideration was given to an application made (in accordance with Section 51 of the Licensing Act 2003) by a local resident for the review of the Premises Licence currently in force in respect of The Joker, Blackthorn Avenue, Bramley, Rotherham.

Representations in support of the application to review had been received from 3 local residents.

The application under consideration for the review of the Premises Licence was made on 15th September, 2022 by Mrs. S. Bedford on the grounds that the licence holder was failing to promote the licensing objectives namely:-

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

It was noted that no representations had been made by South Yorkshire Police, the Council's Environmental Health Service or the Licensing Service (acting in their roles as a Responsible Authority under the Licensing Act 2003).

On 13th October an application for the minor variation of the Premises Licence was made on behalf of the Ei Group Limited. The application sought to reduce the terminal hour authorised for the playing of recorded music, the provision of the facilities for dancing and the provision of late night refreshment on Fridays and Saturdays to 12.00 midnight (previously 01.00 a.m. on the day following) and the addition of 29 management control conditions to the licence.

In the absence of relevant representation, the application for the minor variation of the Premises Licence was granted on 2nd November, 2022, and the terms of the licence amended in accordance with the application i.e.:-

LICENSING SUB-COMMITTEE – 29/11/22

1. A CCTV system shall be installed at the premises, recording for the entirety of each 24-hour period and for a minimum of 28 days. CCTV footage must be made available within 48 hours to the Police or officers of the Council upon request and be of evidential quality.
2. The Designated Premises Supervisor (DPS) must ensure that at least 1 member of staff in addition to the designated premises supervisor is trained in the recording and retrieval of CCTV images.
3. The CCTV cameras shall cover all entrances and exits, the area in which payment is made for alcohol and all areas to which the public have access including all external areas. The licence holder must ensure that the hard drive is located in an area that is easily accessed by officers.
4. The DPS shall adopt an age verification scheme which incorporates "Challenge 25" The Premises Licence Holder shall ensure that Challenge 25 notices are on display in view of the public and in the area in which payment for alcohol is made.
5. The DPS shall keep a register of refused sales of all age-restricted products. The refusals book must be retained on the premises and made available for inspection by the Police or officers of the Council upon request.
6. The refusals book must contain details of time and date, description of the attempting purchaser, description of the age restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the person refusing the sale.
7. The refusals book must be examined on a weekly basis by the DPS or a suitably trained member of staff. Upon examination the book must be signed and dated.
8. The DPS shall ensure that an incident report register is maintained and kept onsite at all times to record all incidents involving anti-social behaviour injury and ejections from the premises. This shall be completed as soon as possible and, in any event no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry.
9. The incident report register is to be kept on the premises and made available for inspection by the Police or officers of the Council upon request.
10. The DPS shall ensure that a written record of all staff authorised to sell alcohol is always kept on the premises and made available for inspection by the Police or officers of the Council upon request.

11. All staff involved in the sale of alcohol shall receive training in underage sales, serving to persons in drink, drug awareness and how to deal with abusive and aggressive customers.
12. Staff refresher training shall take place on an annual basis and be recorded.
13. New staff shall receive induction training at the commencement of their employment at the premises, including drug awareness, underage sales training, and serving to persons in drink. This training shall be recorded.
14. Persons under the age of 18 years must always be accompanied and supervised by a responsible adult whilst they are on the premises. This includes all external areas and the customer car park.
15. Persons under the age of 18 years must not be permitted entry to the premises (including all external areas and customer car park) or permitted to remain on the premises after 21.00 hours.
16. The DPS shall ensure that documented security arrangements are implemented at the premises to discourage the sale and consumption of controlled substances. Security arrangements shall include having a member of staff regularly check toilet areas and external areas.
17. The date and times of all checks to be recorded in a bound book kept for that purpose and to be produced upon request to an authorised officer of the Licensing Authority or a constable.
18. The DPS shall ensure that a clearly visible notice will be placed on the premises within the toilets and external areas advising those attending that regular checks are being undertaken and that the Police will be informed if anyone is found in possession of controlled substances or weapons.
19. The DPS shall ensure that regular checks are carried out outside of the premises to ensure that the area is free from litter and nuisance behaviour associated with the operation of the business.
20. Save for access and egress the external areas of the premises including the car park must not be used after 23:00 hours Monday to Sunday and cleared of customers by 23:30 hours. Adequate notices shall be displayed to inform patrons of this requirement.
21. Customers shall not be permitted to take vessels containing alcoholic products into the premises, and no open vessels containing alcoholic products shall be allowed to be taken from the premises save for consumption in an external area provided for that purpose whilst the premises are conducting licensable activities.

LICENSING SUB-COMMITTEE – 29/11/22

22. Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity. No speakers for amplification of music shall be placed in any external area or on the outside of any building forming a part of the premises.
23. The DPS or other competent person shall carry out observations in the vicinity of closest residential property, on at least hourly intervals between 18:00 hours and 00:00 hours on Friday Saturday and Sunday, to establish whether there is a noise breakout from the premises whenever regulated entertainment is being provided at the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept in a book for that purpose.
24. A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.
25. The DPS shall ensure attendance at the local Pub Watch Scheme meeting on a regular basis by either the DPS or nominated representative.
26. The DPS shall undertake a regular risk assessment of the premises to determine whether door supervisors shall be required.
27. 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, for example a home football game or the advertising and promoting of a sporting event, a risk assessment shall be carried out by the DPS 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.
28. The DPS shall ensure there is adequate lighting in the external area and car park area of the premise.
29. The DPS shall appoint a designated member of staff to carry out regular checks of the outside area, to ensure all external lights are working.

It was noted that there was no Designated Premises Supervisor (DPS) named on the Premises Licence. The licence holder, Ei Group Limited, was aware that no alcohol may be sold at the premises until such time that a DPS was nominated. Ei had confirmed that the site was currently closed, secured and not trading.

The Sub-Committee heard verbal representations from Mrs. Bedford and Mr. and Mrs. Greaves (objectors) who were in attendance as well as a written representations which included:-

- Anti-social behaviour in the car park including the use of it for drug transactions throughout the day. The open plan status of the car park enabled dealing to take place throughout the day even when the car park was closed
- Proximity of the pub to the local school with young children witnessing the detritus left behind from the activities that had taken place
- The lack of management by the previous licence holder
- Noise nuisance from the playing of loud amplified music resulting in residents who lived in direct proximity to the pub having to relocate to the back of their properties in an attempt to escape the noise
- Vehicles of all descriptions speeding down the road to and from the pub
- Need for a strong/experienced Designated Premises Supervisor to be appointed
- If the pub went back to being a family pub it would increase patronage
- The effect on residents' mental health
- The need for door supervisors

Councillor Ellis (in the capacity as Ward Member) and 2 other residents were in attendance also.

Mr. R. Taylor, solicitor representing Ei Group, addressed the concerns raised by the residents. Mr. P. Wright, Stonegate's Licensing Director, Mr. S. Scholey, proposed new DPS and Mr. P. Sharman, Stonegate/Ei Regional Manager, were also in attendance.

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:- (1) That, after due consideration of the application for review and the noting of the 29 management control conditions already agreed by the minor variation of the Premises Licence on 2nd November, 2022, no further action be taken.

(2) That noise limiter equipment be installed prior to any regulated entertainment taking place.

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LICENSING SUB-COMMITTEE
7th December, 2022

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

16. CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.51 OF THE LICENSING ACT) TO REVIEW THE PREMISES LICENCE IN PLACE AT AVE FERHAM SUPERMARKET, 192 FERHAM ROAD, ROTHERHAM, S61 1DZ

The Chair explained that this was the fourth time the Sub-Committee had been scheduled to meet to consider this review (1st July, 26th September, 2nd November and 7th December, 2022). The date and time of 7th December, 2022, had been agreed by all those present at the adjourned meeting on 2nd November. A request had been received late on 6th December from the Premises Licence Holder's legal representative to delay the start until 11.00 a.m. which had been acceded to. However, due to traffic problems, it was now requested that the meeting commence at 11.30 a.m.

The Premises Licence Holder was invited to join the meeting at 11.30 a.m. but he was not willing to join until his legal representative had arrived. However, given the flexibility that had been given to accommodate this hearing, the Sub-Committee unanimously agreed to proceed with the hearing. The Premises Licence Holder and his legal representative joined the meeting at 11.55 a.m.

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 Ave Ferham Supermarket, 192 Ferham Road, Rotherham.

The Council's Trading Standards Service had submitted an application to review the Premises Licence on 11th May, 2022, as a result of concerns around the use of the premises for the storage and sale of illicit tobacco and cigarettes. Following the prescribed period of 28 days during which time interested parties/responsible authorities may submit representation, one additional representation had been received from the Council's Licensing Authority citing:-

- A general failure to comply with Premises Licence conditions
- Lack of staff training and lack of management control in relation to the sale of alcohol from the premises

Mr. A. Pogorzelec, Licensing Manager, Mr. D. Lodge, Principal Trading Standards Officer and Mrs. D. Kraus, Principal Licensing Officer, were in attendance together with Mr. A. Jawad, Premises Licence Holder and Designated Premises Supervisor (DPS) together with Andrea Forrest (solicitor). Also in attendance was an interpreter for Mr. Jawad.

The Sub-Committee heard the representations of the Trading Standards Service, applicant for the review:-

- The current Premises Licence Holder and DPS had been in charge of the premises since 31st March, 2021
- A test purchase had been carried out at the premises, under the direction of Trading Standards Officers, on 17th August, 2021, resulting in the sale of 2 packets of cigarettes later confirmed to be counterfeit
- A search warrant was executed at the premises in a joint operation with Trading Standards, Police and the Licensing Enforcement Team on 22nd September, 2021. A significant quantity of illicit tobacco products was seized from the premises totalling over 14,000 cigarettes and 118 packs of hand rolling tobacco
- The tobacco was discovered in a flat located directly above the shop premises accessed via an external door separate to the shop premises. During the search of both the shop and flat, a concealed chute was discovered running from the front room of the flat to behind the shop counter below believed being used to feed tobacco products into the shop from where they were being stored upstairs
- Mr. Jawad leased both the shop and the flat with the latter being used as storage. At the time of the visit the flat was not in a habitable state and not licenced by the Council as a dwelling
- Personal correspondence addressed to Mr. Jawad was also found in the flat
- Under interview on 3rd May, 2022, Mr. Jawad had provided a written statement denying any connection with tobacco products and that any property found in the flat was nothing to do with him.
- In November, 2022, a formal interview of Mr. Sdeik who had confirmed his original account of why he had been in the flat at the time of the search warrant. He claimed that he had never been in the shop or had met Mr. Jawad

Investigations were ongoing in connection with a number of individuals who also had connections with both the shop premises and the flat.

Mrs. Kraus, on behalf of the Licensing Authority, presented the representations:-

- The premises had been unlicensed from July 2019 until March, 2021, due to the licence having been previously revoked due to underage sales
- Following a visit on 9th October, 2020, where sales of alcohol had been found to be taking place without the benefit of a licence, the Licensing Authority had attempted to work with Mr. Jawad to help him become compliant and as a result a licence application was made and management control conditions offered to prevent a recurrence of any problems. The licence was granted in March, 2021

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- An inspection took place on 20th April and found not to be in compliance with the licensing conditions
- 2 further inspections have been made by the Licensing Authority post-review application the first being in May 2022 and the second on 1st December, 2022. The premises had been mostly compliant with the licensing conditions. There had been a refusal register but no training records or incident register. However, the member of staff at the time had demonstrated to the officers that they understood Challenge 25 even though no record of their training could be found

Mr. Jawad, applicant, and his legal representative, addressed the concerns raised highlighting:-

- During the search warrant no illicit cigarettes had been found on the shop premises or outdoor storage facility
- The flat above the shop had the same postal address of No. 192 Ferham Road
- When Mr. Jawad had purchased the shop he had not been aware that it did not have a premises licence to sell alcohol
- Following the purchase of the premises, Mr. Jawad had took on the flat with a sitting tenant who previously had an agreement with Mr. Ohmid, the previous Premises Licence Holder (20th June 2020). As the tenant was quiet and did not cause any problems he had agreed to collect the rent and pass it onto the brother of Mariam Bi, the owner
- The flat had never been used by Mr. Jawad for the purpose of storage
- Mr. Jawad had no knowledge of the illicit cigarettes nor why a member of staff had sold them. That member of staff no longer worked for him
- He also had no knowledge of the chute from the flat to the shop

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, the premises licence for the premises known as Ave Supermarket, 192 Ferham Road, Rotherham, be revoked with immediate effect.

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LICENSING BOARD
8th December, 2022

Present:- Councillor Ellis (in the Chair); Councillors Bennett-Sylvester, Castledine-Dack, Cooksey, Haleem, Hoddinott, Hughes, Jones, McNeely, Mills, Monk, Pitchley, Reynolds and Wyatt.

Apologies for absence were received from Councillors Browne, Clark, T. Collingham, Sansome and Councillor Lelliott (Cabinet Member).

3. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

4. MINUTES OF THE PREVIOUS MEETING HELD ON 25TH FEBRUARY, 2022

Consideration was given to the minutes of the previous meeting held on 25th February, 2022.

Resolved:- That the minutes be received and the contents noted.

5. LICENSING SERVICE UPDATE

Consideration was given to the report, presented by the Licensing Manager, which provided detailed performance in relation to the Licensing Team's performance against the Taxi and Private Hire Licensing Performance Framework for April-November, 2022, as well as an overview of the general performance of the Service.

The report also sought the views of the Board on the House to House Collection Policy and Sex Establishment Policy both of which were due for formal review in 2023.

The Licensing Manager guided the Licensing Board through the detail in the report and provided further information on the areas of:-

- The number of unannounced inspections of vehicles and drivers and the percentage of taxis found to be compliant with the licensing regime during on the spot inspections
- Performance against the Licensing Service Performance Management Framework
- The performance of the Council's Licensing Team in relation to quality assurance and administrative aspects of the Service

The submitted report provided details in the appendices of the performance against the Licensing Performance Management Framework for and Enforcement Data for 1st April-31st November, 2022, which was implemented to address the concerns raised in Louise Casey's report.

The report provided a summary of enforcement action that had taken place between April and November, 2022 including details of actions taken by Enforcement Officers along with enforcement actions taken by other officers within the Licensing Service and the outcomes of Licensing Board Sub-Committee hearings. It highlighted:-

- 68 vehicles and drivers had been inspected since 1st April, 2022, of which 96% of vehicles (65) and 100% of drivers were found to be compliant with licensing requirements.
- The vehicle non-compliance related to a missing licence plate, an absence of a first aid kit and malfunctioning taxi camera system. The licence plate and first aid kit were rectified within 48 hours and the camera issue resolved within 2 working days
- Targets had been set against 16 performance measures of which 2 were off target
- There were an additional 4 measures that were being monitored but no target set
- Between April and November, 2022, 5 appeals had been listed for consideration by the Magistrates Court in relation to decisions made by Licensing Officers and/or the Licensing Board Sub-Committee. One of the appeals had been withdrawn by the appellant prior to the hearing, one appeal was discharged by way of a Consent Order, 2 appeals were successfully defended by the Council and the remaining appeal was not successfully defended by the Council
- Recruitment was a continuing issue with a vacancies for a Senior Licensing Enforcement Officer and Licensing Enforcement Officer (2 posts). Interviews were to take place shortly for a licensing Support Officer
- Taxi and Private Hire Licensing Policy was due for renewal in 2023

During discussion on the report and supporting appendices the following issues were clarified:-

- Due to the ageing taxi camera systems more frequent problems may arise
- Information sharing with partners, in particular South Yorkshire Police, did take place despite low attendance at the weekly Child Exploitation Task Group. Should any issues involving Licensing be raised they were flagged directly with the Service prior to the meeting

- Only 2 of the 4 multi-agency operations had taken place but there was confidence that the target would be reached in the final quarter of the financial year
- 100% target of licences issued was not realised due to one officer being on sick leave and another having IT problems leaving the remaining officer to sign all licences off. However, 238 renewals were issued prior to the licences expiring with the exception of a few that were issued the day after expiry
- The BTEC/NVQ qualification covered all the skills and knowledge you would expect a taxi drivers to have to carry out their role safely
- Discussions were ongoing with the Design and Print Unit with regard to the redesign of taxi driver ID badges and the signage for vehicles
- There had been a slight increase in the number of drivers which was surprising given the pandemic/cost of living increases/fuel prices. However, licences were issued on a 3 year cycle so the true picture may not be known until those licences were up for renewal
- A significant number of drivers had changed the way they worked and had decided to work for Uber providing them with more flexibility
- A number of taxi companies were using out of town vehicles because of the lack of taxi drivers

House to House Collection Policy

The Council's House to House Collection Policy was introduced in 2019 and now due for review (Appendix 4 of the report submitted). 2 documents were also attached to the report that provided further information in relation to the consideration of House to House Collection applications. Guidance provided by the National Association of Licensing Enforcement Officers was attached at Appendix 5 and guidance from the Institute of Fundraising on the use of percentages was attached at Appendix 6.

Approval of the final Policy was a decision for the Cabinet but any views expressed by the Licensing Board together with all other consultation responses would be considered as part of the review.

Discussion ensued on the Policy with the following points raised:-

- Age limits – “No person under the age of sixteen years shall act or be authorised to act as a collector of money” – should it be eighteen years of age?
- Disposal of disused certificates of authority etc – could it stipulate that they be returned to the Local Authority?

- Percentage given to the charitable organisation – should be 80% of the net figure and not gross
- Organisations be requested to state what their financial projections from the collection would be to provide clarity on how much would go to the stated charity
- Concerns with regard to the direct debit applications
- That applications continue to be submitted to the Licensing Board Sub-Committee with the same amount of information currently provided

Sex Establishment Policy

The Council adopted the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) on 22nd May, 2019, and introduced a Sex Establishment Policy that took effect on 1st July, 2019.

The Policy set out the Council's approach to the regulation of the premises detailed under the provisions of the 1982 Act i.e. sexual entertainment venues, sex shops and sex cinemas and was attached to the report submitted at Appendix 7.

Approval of the final Policy was a decision for the Cabinet but any views expressed by the Licensing Board together with all other consultation responses would be considered as part of the review.

Discussion ensued on the Policy with the following points raised:-

- Should avoid suggesting locations
- The consultation should include workers within the industry
- Was the advertising for the one sex shop within Rotherham appropriate

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

(2) That an update be provided to Board Members at the end of the financial year on the number of multi-agency operations completed.

(3) That the specification of the BTEC/NVQ qualification be provided to Board Members for information.

(4) That the comments made with regard to the review of the House to House Collection Policy and the Sex Establishment Policy be fed into the consultation process.

**LICENSING BOARD SUB-COMMITTEE
19th December, 2022**

Present:- Councillor Ellis (in the Chair); Councillors Bennett-Sylvester, Jones and Monk.

23. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

24. 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).

25. APPLICATIONS FOR THE GRANT/RENEWAL/REVIEW OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES

The Sub-Committee, considered a report of the Licensing Manager relating to applications for the grant/renewal/review of the hackney carriage/private hire driver licences in respect of Messrs. M.A., I.J.M. and N.K.

Mr. M.A. had requested that his application for review be deferred to another meeting.

Mr. I.J.M. was in attendance. Mr. N.K. failed to attend. When contacted by telephone he confirmed that he had overlooked the date and time and would prefer for his application not to proceed in his absence. However, the Sub-Committee unanimously agreed to consider the application.

Resolved:- (1) That consideration of the review of the hackney carriage/private hire driver licence in respect of Mr. M.A. be deferred to a future meeting.

(2) That the application for a hackney carriage/private hire driver licence in respect of Mr. I.J.M. be approved with a written warning with regard to compliance with officer requests.

(3) That the renewal application for a hackney carriage/private hire driver licence in respect of Mr. N.K. be refused.

26. APPLICATION FOR THE GRANT OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCE

The Sub-Committee, considered a report of the Licensing Manager relating to applications for the grant/renewal/review of the hackney carriage/private hire driver licences in respect of Mr. J.A.

Mr. J.A. was in attendance together with his wife.

Resolved:- (1) That the application for a hackney carriage/private hire driver licence in respect of Mr. J.A. be refused.

PLANNING BOARD
24th November, 2022

Present:- Councillor Atkin (in the Chair); Councillors Andrews, Bacon, Cowen, Elliott, Fisher, Tarmey and Taylor.

Apologies for absence were received from Councillors Bird, Burnett, Havard and Keenan.

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

145. EXCLUSION OF THE PRESS AND PUBLIC

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

146. MATTERS OF URGENCY

There were no matters of urgency for consideration.

147. DECLARATIONS OF INTEREST

Councillor Elliott declared a personal interest in application RB2022/1469 (Change of use to living care facility (Use Class C2) with two storey and single storey side extension at Sitwell School House, Grange Road, Broom for Rotherham MBC) on the grounds of being a foster carer. He remained in the room, but did not comment or vote on the application.

148. MINUTES OF THE PREVIOUS MEETING HELD ON 3RD NOVEMBER, 2022

Resolved:- That the minutes of the previous meeting of the Planning Regulatory Board held on Thursday, 3rd November, 2022, be approved as a correct record of the meeting.

149. DEFERMENTS/SITE VISITS

There were no deferments or site visits recommended.

150. 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, a number of people attended the meeting and spoke about the applications below:-

- Change of use to living care facility (Use Class C2) with two storey and single storey side extension at Sitwell School House Grange Road Broom for Rotherham MBC (RB2022/1469)

Ms. H. Sweatton (Applicant on behalf of RMBC)

Mr. R. Bellamy (Objector)

Mr. M. Hussain (Objector)

- Demolition of dwelling and erection of 3 no. detached dwellings at The Wendy House 221 Moorgate Road Moorgate for Mr. E. Karim (RB2021/1245)

Mr. R. Milnes (Objector)

Mr. C. Precious (Objector)

Mrs. J. Herrett (Objector)

Mrs. V. Brennan (Objector)

- Erection of 2.1m high palisade security fencing to boundaries adjacent to highway at Orchard Industrial Park New Orchard Road Thurcroft for Mr. R. Stevens (RB2022/1177)

Mr. R. Stevens (Applicant)

(2) That, applications RB2022/1469 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report.

(3) That, application RB2021/1245 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and also subject to an amendment to include the words “and hedges” in Condition 6 to now read:-

06

Prior to commencement of development, a detailed landscape scheme shall be submitted to, and approved in writing by, the Local Planning Authority,

The landscape scheme shall be prepared to a minimum scale of 1:200 and shall clearly identify through supplementary drawings where necessary:

- The extent of existing planting, including those trees, hedges or areas of vegetation that are to be retained, and those that it is proposed to remove.
- The extent of any changes to existing ground levels, where these are proposed.
- Any constraints in the form of existing or proposed site services, or visibility requirements.

- Areas of structural and ornamental planting that are to be carried out.
- The positions, design, materials and type of any boundary treatment to be erected.
- A planting plan and schedule detailing the proposed species, siting, quality and size specification, and planting distances.
- A written specification for ground preparation and soft landscape works.
- The programme for implementation.
- Written details of the responsibility for maintenance of all retained trees and hedges on the site, and a schedule of operations for the lifetime of the development, including replacement planting, that will be carried out for a period of 5 years after completion of the planting scheme.

The approved scheme shall thereafter be implemented in accordance with the approved landscape scheme and in accordance with the appropriate standards and codes of practice within a timescale agreed, in writing, by the Local Planning Authority.

Reason

To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and to provide appropriate biodiversity gain, in accordance with Local Plan Policy.

(4) That, application RB2022/1177 be granted for the reasons adopted by Members at the meeting and subject to the relevant conditions listed in the submitted report and also subject to amendments to Conditions 2 and 3 to now read:-

02

Within three months of the granting of planning permission the sight line indicated on the attached copy plan shall be rendered effective by removing or reducing the height of anything existing on the land (shaded red) between the sight line and the highway which obstructs visibility at any height greater than 600mm above the level of the adjacent carriageway and the visibility thus provided shall be maintained.

Reason

In the interests of highway safety.

03

Within three months of the date of this permission the fencing shall be relocated as shown on the amended plans received 7 October 2022 and painted black.

Reason

In the interests of the visual amenity of the locality.

151. UPDATES

The following update information was provided:-

- (a) Use of land to extend garden areas including boundary wall/fence and gate at land to rear of 40-46 Roundwood Grove, Rawmarsh for Mr. Ding (RB2021/2041)

Further to Minute No. 86(2) of the meeting of the Planning Board held on 7th April, 2022 consideration was given to an update on the above application. Following a lapse of the timeframe for submitting an appeal and prior to the commencement of enforcement proceedings, action had been taken to remove the fencing and reinstate the land to its former use.

Resolved:- That the information be noted.

152. DATE OF NEXT MEETING

Resolved:- That the next meeting of the Planning Board take place on Thursday, 15th December, 2022 at 9.00 a.m. at Rotherham Town Hall.

STAFFING COMMITTEE
19th December, 2022

Present:- Councillor Alam (in the Chair); Councillors Allen, Read and T. Collingham.

21. MINUTES OF THE MEETING HELD ON 19TH JULY, 2022

The minutes of the previous Staffing Committee meeting held on 19th July, 2022, were considered.

Resolved:

That the minutes of the meeting held on 19th July, 2022, be approved as a true and correct record of the proceedings.

22. DECLARATIONS OF INTEREST

There were no declarations of interest.

23. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that there were no items of business on the agenda that would require the exclusion of the press and public from the meeting.

24. RECRUITMENT OF STRATEGIC DIRECTOR, CHILDREN AND YOUNG PEOPLE'S SERVICES

The Assistant Director, Human Resources and Organisational Development, introduced the report which set out the proposals to fill the post of Strategic Director, Children and Young People's Services. This current postholder had decided to retire and as such, formal arrangements needed to be made to fill the post on a permanent basis. As the vacancy was the strategic lead for the Directorate, options for cover arrangements for the post were under active discussion until a permanent appointment could be made.

The post was required to lead on the continuous improvement work following the Local Authority Children's Services (ILCAS) inspection in June 2022 that had rated Rotherham MBC's Children and Young People's Service as "Good." The postholder would also lead on the delivery of the transformation agenda for the Directorate along with associated budget savings.

The Staffing Committee was asked to agree plans to immediately begin the selection process which would be led by the Senior Officer Appointments Panel. Based on a three months notice period, it was expected that the successful candidate would take up post in April 2023 enabling a formal handover to be conducted with the current postholder.

STAFFING COMMITTEE - 19/12/22

The salary for the Strategic Director post was £156,172 and would be advertised at the current rate. As per the Pay Policy Statement, Staffing Committee make recommendations to Council in relation to decisions affecting the remuneration of any post whose remuneration is or is proposed to be or would become £100,000 per annum or above. Council has previously approved this role and the associated salary and as such, the future costs of the post were factored into the Council's financial planning. This meant further Council approval was not required.

During the meeting the Assistant Director and Chief Executive confirmed that the advert for the post had already gone out. There was also an accompanying video and brochure. The timelines for the recruitment process were outlined. It was also confirmed that the current postholder had agreed to continue on a part-time basis until her replacement was in post. This would be for three days a week and senior officers from within Children and Young People's Services would be invited to apply for the position for the remaining two days a week.

In response to the presentation, Members agreed that it was imperative that a high quality candidate be found to be appointed to the post as it was the Council's ambition to be Outstanding, both in terms of Ofsted and for the children and young people of the Borough. They were grateful to the current postholder for agreeing to continue on a part-time basis and believed it would be a good opportunity for transition.

Following these comments, the Chief Executive confirmed that the deadline for applying had been extended until after Christmas. She also confirmed that the market for this role was small.

The Staffing Committee wished to formally place on record their thanks to Suzy Joyner, current Strategic Director for Children and Young People's Services, for all her work, particularly throughout the Covid-19 pandemic and in helping the Council to achieve a Good Ofsted rating.

RESOLVED:

1. That Staffing Committee refer the process to the Senior Officer Appointments Panel to make the appointment for the Strategic Director, Children and Young People's Services post.

25. URGENT BUSINESS

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