

## OVERVIEW AND SCRUTINY MANAGEMENT BOARD

**Date and Time :-** Wednesday 10 May 2023 at 10.00 a.m.  
**Venue:-** Rotherham Town Hall, Moorgate Street, Rotherham.  
**Membership:-** Councillors Clark (Chair), Bacon (Vice-Chair), Baker-Rogers, Baum-Dixon, Browne, A Carter, Cooksey, Elliott, Pitchley, Tinsley, Wyatt and Yasseen.

This meeting will be webcast live and will be available to view [via the Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Governance Advisor of their intentions prior to the meeting.

### AGENDA

**1. Apologies for Absence**

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

**2. Minutes of the previous meeting held on (Pages 5 - 13)**

To consider the minutes of the previous meeting of the Overview and Scrutiny Management Board held on 19 April 2023 and to approve them as a true and correct record of the proceedings.

**3. Declarations of Interest**

To receive declarations of interest from Members in respect of items listed on the agenda.

**4. Questions from Members of the Public and the Press**

To receive questions relating to items of business on the agenda from members of the public or press who are present at the meeting.

**5. Exclusion of the Press and Public**

To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.

## **For Discussion/Decision:-**

### **6. Byelaws Overview Following Council Motion (Pages 15 - 20)**

To consider a briefing and presentation on Rotherham Council Byelaws following the motion to Council considered at its meeting on 30 November 2023.

The following was resolved:

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 with police, councillors, parish and town councils, and other partners to identify behaviours and public spaces where byelaws could be useful and complete this consultation process within four months.
5. Implement a regular system of review for local byelaws, to ensure byelaws are revoked and/or replaced when they are no longer useful.
6. Where it is thought that a Public Space Protection Order (PSPO) would be a more effective tool than a byelaw, proceed with a PSPO.

## **For Information/Monitoring:-**

### **7. Work Programme - feedback from Scrutiny Strategy/Work Programming Day**

To receive a presentation and verbal update from the Scrutiny Strategy Day held on April 26, 2023.

### **8. Work in Progress - Select Commissions**

To receive updates from the Chairs of the Select Commission on work undertaken and planned for the future.

**9. Forward Plan of Key Decisions - May 1, 2023 to July 31, 2023 (Pages 21 - 29)**

To review and identify items for pre-decision scrutiny from the Forward Plan of Key Decisions covering the period from May 1, 2023 to July 31, 2023.

**10. Call-in Issues**

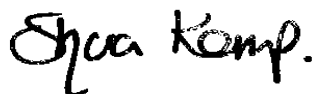
To consider any issues referred for call-in from recent Cabinet meetings.

**11. Urgent Business**

To determine any item which the Chair is of the opinion should be considered as a matter of urgency.

**12. Date and time of next meeting**

The next meeting of the Overview and Scrutiny Management Board will be held on Wednesday 14 June, 2023 at 10.00am at Rotherham Town Hall.



**SHARON KEMP,  
Chief Executive.**

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**OVERVIEW AND SCRUTINY MANAGEMENT BOARD**  
**Wednesday 19 April 2023**

Present:- Councillor Bacon (in the Chair); Councillors Baker-Rogers, Browne, A Carter, Cooksey, Elliott, Pitchley and Tinsley.

Apologies for absence:- Apologies were received from Councillors Clark, Baum-Dixon, Wyatt and Yasseen.

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

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

**172. MINUTES OF THE PREVIOUS MEETING HELD ON FEBRUARY 8 2023 AND MARCH 15 2023**

**Resolved:** - That the Minutes of the meeting of the Overview and Scrutiny Management Board held on February 8, 2023 and March 15, 2023 be approved as a true record.

**173. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**174. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS**

There were no questions.

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

There were no exempt items.

**176. COUNCIL PLAN UPDATE**

The Vice-Chair welcomed the Leader of the Council, the Chief Executive and the Head of Policy, Performance and Intelligence to the meeting. Also in attendance was the Assistant Director of Streetpride and Community Safety.

The Board considered a report providing an update of progress made on the activities in the Year Ahead Delivery Plan and Council Plan performance measure data for Quarter 3 (October – December 2022).

The Council Plan 2022-25 was a key document which outlined the Council's vision for the Borough and priorities for serving residents and communities and was informed by public consultation. The Plan provided the medium-term basis for targeting resources, informing the budget-setting process and planning cycles, and ensuring that residents could hold the Council to account for delivery.

To enable the Council to work towards the Council Plan outcomes and achieve the commitments, the Council Plan performance measure targets were reviewed annually, and the Year Ahead Delivery Plan was also updated. These were attached as appendices to the report.

The Vice-Chair invited the Leader to introduce the report. The Leader highlighted that 87% of actions were on track or completed, with examples given of initiatives such as use of the Towns and Villages fund; additional universal youth work and development of social supermarkets. Of the delayed actions, seven would be completed before the end of the performance year, with five moved to the next year. The delays and mitigations in respect of Thurcroft library and housing growth programmes had been discussed at previous meetings. In respect of the Early Help strategy, it was noted this had been paused in light of the Government's Family Hub initiative but would be reviewed in due course. It was noted that further work was being undertaken in respect of local labour agreements.

With regards to performance measures that had declined, the Leader provided clarification about how engagement with domestic abuse services was to be improved. It was noted that in respect of the measure to process new housing benefit claims, changes would be made to the way data was collected to ensure that the measure focussed on the areas of Council responsibility. Changes would also be made to the apprenticeship measure to ensure that this captures new starters.

The Vice-Chair invited questions from the Board and a discussion on the following points ensued:

Clarification was sought regarding the target for issuing Community Protection Orders. It was outlined that the intention was to intervene early to prevent the necessity of issuing enforcement notices. The Assistant Director highlighted that a high proportion of issues were resolved at the warning stage and the service was considering how this type of activity could be captured in future performance measures. It was noted that the service had introduced more qualitative measures to assess street cleanliness.

Clarification was sought if staffing changes had affected enforcement activity in respect of litter, fly-tipping and untidy gardens, with examples given to illustrate the concerns raised at a ward level and perceptions that that residents were not seeing improvements. It was acknowledged that there had been staffing changes to build greater resilience in the service. It was noted that there had been no reduction in resources for this service and investment had been made to provide a seven-day, out-of-hours service.

Further details were requested regarding the increase in the numbers of successful prosecutions for fly-tipping. The Assistant Director highlighted that work had been undertaken with the Improving Places Select

Commission to outline actions to address fly-tipping across a number of different services, including street cleansing, grounds maintenance, enforcement and housing. It was outlined that there had been significant investment in the use of CCTV cameras.

Details were sought on the roll-out of ward bulletins and how this could be promoted further using social media and local libraries. It was noted that a target had been set to drive activity to encourage wider take-up.

In respect of access to local libraries and neighbourhood hubs, it was noted that some areas had limited access to local provision and details were sought if this would be addressed. In response, the Leader outlined that the town centre development and relocation of the central library would make the library more accessible in addition to other initiatives, including partnerships with parish councils. It was also noted that there was a home library service that delivers to people who were unable to access buildings.

Clarification was sought regarding the number of business start-ups compared with closures and if support was offered to struggling businesses. The Chief Executive outlined that business advisers engage with businesses and provide advice about local networks, such as the Chamber of Commerce, and available grants. Wider work was also taking place with the South Yorkshire Combined Mayoral Authority at a strategic level to support business expansion and consolidation. It was felt that further emphasis could be given to measuring business retention.

Further explanation was requested regarding the 24.1% of targets that were not at expected levels. The Leader referred to his opening remarks and explained that the plan had a number of stretching targets and whilst performance may fluctuate periodically, the update gave an accurate reflection of progress and mitigating actions.

Details of the percentage of the road network classed as “green” was requested. It was highlighted that the current performance stood just below the target of 81%.

In closing, the Vice-Chair thanked the Leader and Chief Executive for the presentation and asked for suggestions for the work programme. The Leader confirmed that he would respond in due course.

**Resolved:**

- 1) That Cabinet be advised that the following recommendations be supported.
  1. Note the overall position in relation to the Year Ahead Delivery Plan activities.
  2. Note the Quarter 3 2022-23 data for the Council Plan performance measures.

3. Agree the revised Council Plan performance measure targets and the Year Ahead Delivery Plan for 2023-24
4. Note the future performance reporting timetable.
- 2) That consideration be given to how the wider take-up of ward bulletins can be promoted.

**177. SCRUTINY REVIEW RECOMMENDATIONS - ACCESS TO PRIMARY CARE**

The Senior Governance Advisor introduced the report, summarising the findings and recommendations of the Health Select Commission spotlight review into access to primary care. The review was prompted by insight provided by Healthwatch Rotherham, regarding continued enquiries from residents who were having difficulty accessing GP appointments.

The report seeks approval for the recommendations to be submitted to NHS South Yorkshire / Rotherham Place Board for consideration and response.

The Vice-Chair welcomed the Cabinet Member for Adult Social Care and Health and the Director of Public Health to the meeting.

The Vice-Chair invited questions from Members of the Board and a discussion on the following points ensued:

Further details were sought on how the Commission had arrived at its recommendations. In the absence of the Commission's Chair, a request for was made for further details to be shared.

The Cabinet Member was asked for his views on the review and findings. He highlighted that the review reflected a national problem in access to primary care. He noted that services in Rotherham compared well regionally although improvements were still required. It was outlined that the Place Board and NHS South Yorkshire were part of the Health and Well-Being Board and in his role, would recommend that partners gave consideration to the recommendations.

The Director of Public Health observed that the focus of the review was access to GP services rather than the broad of primary care. However, he noted that GP practices were working collaboratively to drive improvements.

Examples were given of difficulties to access GP surgeries and questions were asked about the definition of reasonable waiting times. It was suggested that patients may present to emergency care if they were unable to secure an appointment, which may exacerbate pressures on those services.

It was noted that the key recommendations of the report referenced



national issues and longstanding structural problems with GP contracts. A view was expressed that the deprivation formula for funding acted as a disincentive for practices to work in communities often with more complex health needs. It was also noted that demand for services had increased significantly since 2017. An example was given of a practice in a neighbouring borough doubling its number of GPs however, there were still pressures on available appointments. It was suggested that a structural change was required to encourage more people to work into primary care and retain existing staff. It was also highlighted that recent changes to the GP contract to offer same-day appointments may increase additional pressures on primary care.

The Chief Executive outlined in her role as co-chair of the Place Board, that it was recognised that national change was required and this would be raised through this forum and the Integrated Care Board. However, it was reiterated that unless change was affected at a national policy level, there was limited influence that could be exercised locally.

**Resolved:**

1. Cabinet notes the following recommendations and considers its response.
2. Cabinet approves the submission of the recommendations to NHS South Yorkshire / Rotherham Place Board for consideration and response.
  - a) That the principle be agreed that responsibility for patient access to primary care is shared between the primary care practices and their patients.
  - b) That consideration be given to how all Place Partners demonstrate responsibility to communicate honest wait times, where this information is available, for all health and care services system-wide.
  - c) That any trend connecting a practice or GP with excessive delays or Urgent and Emergency Care Centre attendances be analysed, and appropriate action taken.
  - d) That consideration be given to how to increase general understanding of how to recognise symptoms as needing medical attention, where to seek help, and within what timeframe.
  - e) That Place partners, including the Primary Care Networks (PCNs), consider how to expand general understanding of the wider options when seeking medical advice, with a view to expediting consultation with the most appropriate professional or service to be able to address their need.

- f) That NHS South Yorkshire/Rotherham Place Board give due consideration to enhanced safety-netting to mitigate risks associated with an increasingly patient-led model of care initiation and follow up.
- g) That NHS South Yorkshire/Rotherham Place Board consider how messaging and communications will figure in managing patient expectations around waits in the evolving model of care.
- h) That consideration be given to how Councillors may play an expanded role in signposting and managing expectations among Rotherham residents, as the sector works toward a new model of care which takes account of ongoing resource pressures on health services.
- i) Whereas recruitment remains a limiting factor for expansion of social prescribing, that recruitment to social prescribing roles be prioritised, and consideration given to how to make participation in social prescribing in Rotherham more attractive to professionals.

#### **178. SCRUTINY REVIEW RECOMMENDATIONS - MODERN SLAVERY**

The Vice-Chair welcomed the Cabinet Member for Community Safety, Finance and Customer Services to the meeting.

In the absence of the Chair of OSMB, Cllr Browne introduced the report. The review was prompted following the Council's adoption of the Charter against Modern Slavery, to examine the effectiveness of partnership interventions which aim to tackle modern slavery in Rotherham.

The report details the lines of inquiry; invited witnesses and background information; a summary of its discussions and key findings. By its very nature, this spotlight review was an overview rather than in-depth analysis of the effectiveness of partnership arrangements in place to address modern slavery in Rotherham. In the course of the review, there was an opportunity to discuss with partners the key challenges faced in dealing this issue, explore what was working well and exchange ideas on areas for improvement.

The Cabinet Member, officers and partners were thanked for their openness in responding to enquiries. The review group were assured by the commitment across the South Yorkshire Modern Slavery Partnership to tackle exploitation. The examples given showed the complexity and sensitivity of this work and the part each agency plays.

The Vice-Chair invited the Cabinet Member and Assistant Director to comment on the review. The Cabinet Member welcomed its findings, commenting on the positive partnership working and areas for improvements. The Assistant Director noted that officers had found this

work valuable. It was outlined that training and awareness raising was being delivered and a network of champions were in place.

It was noted that the recommendations reference good practice in other authorities. Clarification was sought on if the Council benchmarked itself against other authorities and implemented relevant learning. It was confirmed that the Council was an active member of a sub-regional forum and worked with third sector organisations.

**Resolved:**

1. That Overview and Scrutiny Board approves the following recommendations:
  - i. That the Safer Rotherham Partnership (SRP) gives consideration to rolling out a targeted learning and development offer/campaign to raise awareness of modern slavery, how to spot the signs, risks and how to raise concerns and make referrals:
    - a) to front-line staff across key agencies;
    - b) to elected members;
    - c) to the general public and targeted business such as letting agencies (commercial and residential).
  - i. That the SRP gives consideration to mapping the local modern slavery landscape to identify high risk industries and hot spots (using the example of Bristol City Council).
  - ii. That consideration is given to establishing an RMBC Internal Governance Group including representation from services who may encounter modern slavery (for example, Procurement, Licensing, Environmental Health, Training Standards, Neighbourhood teams, Social Care and Housing).
  - iii. That consideration is given to how young adults at risk or experiencing modern slavery are safeguarded during the transition from children to adult services and are age assessed appropriately.
  - iv. That consideration is given to developing referral pathways to ensure that modern slavery victims (both adult and child) have access to appropriate support (housing, advocacy, mental health support) on a timely basis.
  - v. That consideration is given to re-launching the Strategic Partnership information sharing group at the earliest opportunity to improve the way that agencies can share data and intelligence, including examining how IT systems can work better together.
  - vi. That consideration is given to widening the levels of investigation and auditing of contracts procured by the Council to focus on the 'layers' of sub-contractors, including binding specifications to

audit or 'dip sample' contracts along the supply chain.

- vii. That consideration is given to how the Procurement Team can engage with the South Yorkshire Mayoral Combined Authority (SYMCA) Supply Chain Advisor to improve processes, joint working and awareness.
  - viii. That consideration be given to allowing victim advocates to make representations to Housing Assessment Panels on behalf of victims of modern slavery.
2. That the recommendations as approved, be submitted to Cabinet for consideration and response.
  3. That the recommendations as approved, be submitted to the Safer Rotherham Partnership for dissemination to the South Yorkshire Modern Slavery Partnership for consideration and response.

#### **179. WORK PROGRAMME**

The Board considered its Work Programme.

**Resolved:** - That the Work Programme be approved.

#### **180. WORK IN PROGRESS - SELECT COMMISSIONS**

The Chair of Improving Lives Select Commission outlined that consideration was being given to the work programme for the 2023-24 municipal year.

The Vice-Chair of Improving Places Select Commission gave a summary of the work of the Tenants Scrutiny Panel and its focus on communications and repairs. A briefing on the Environment Bill was planned.

Resolved: That the updates be noted.

#### **181. FORWARD PLAN OF KEY DECISIONS 1 APRIL 2023 TO 30 JUNE 2023**

**Resolved:** That the Forward Plan of Key Decisions be noted.

#### **182. CALL-IN ISSUES**

There were no call-in issues.

#### **183. URGENT BUSINESS**

There were no urgent items.

**184. DATE AND TIME OF NEXT MEETING**

**Resolved:** - That the next meeting of the Overview and Scrutiny Management Board will be held at 10am on Wednesday 10 May, 2023 at Rotherham Town Hall.

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Public Report  
Overview and Scrutiny Management Board

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**Committee Name and Date of Committee Meeting**

Overview and Scrutiny Management Board – 10 May 2023

**Report Title**

Byelaws Overview Following Council Motion

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

No

**Strategic Director Approving Submission of the Report**

Paul Woodcock, Strategic Director of Regeneration and Environment

**Report Author(s)**

Lewis Coates, Regulation and Enforcement Service Manager

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Emma Ellis, Head of Community Safety and Regulatory Services

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Sam Barstow, Assistant Director Community Safety and Street Scene

[Sam.barstow@rotherham.gov.uk](mailto:Sam.barstow@rotherham.gov.uk)

**Ward(s) Affected**

Borough-Wide

**Report Summary**

This report provides an overview of powers available to Local Authorities to tackle unacceptable behaviours, including byelaws. The report also provides an overview of the processes associated with those powers and the enforcement options they provide. The report is for information in order to support the Committee in discharging their activities as a result of a Council Motion in November 2022, which committed to considering a range of potential actions.

**Recommendations**

That Overview and Scrutiny Management Board:

1. Note the information and consider any specific further work that may be required

**List of Appendices Included**

None

**Background Papers**

Minutes of the Council Meeting held on the 30 November 2022, Notice Of Motion – Rotherham Council Byelaws - [Agenda item - NOTICE OF MOTION - ROTHERHAM COUNCIL BYELAWS - Rotherham Council](#)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
None

**Council Approval Required**  
No

**Exempt from the Press and Public**  
No



## **Byelaws Overview Following Council Motion**

### **1. Background**

- 1.1 On the 30<sup>th</sup> of November 2022 a Motion, proposed by Councillor Tinsley, was agreed at Council as follows:

This Council resolves to:

Ask the Overview and Scrutiny Management Board (OSMB) 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 four months.
  5. Implement a regular system of review for local byelaws, to ensure byelaws are revoked and/or replaced when they are no longer useful.
  6. Where it is thought that a Public Space Protection Order (PSPO) would be a more effective tool than a byelaw, proceed with a PSPO.
- 1.2 In order to support OSMB, this briefing has been prepared to provide an overview of Byelaw powers, as well as highlighting alternative options and powers for consideration throughout any further review. This briefing will be supported by a presentation to OSMB at its meeting on the 10<sup>th</sup> May 2023 to enable further debate on the strengths and weaknesses of the relevant powers and options with a specific section on lifesaving equipment, as referred to in point 2 of the motion detailed in section 1.1 of this report.

### **2. Key Issues**

- 2.1 Byelaws are local laws made by a local council under an enabling power contained in a public general act or a local act requiring something to be done or not done, in a specified area. They are accompanied by some sanction or penalty for their non-observance. Due to the subject matter within the original Motion, this report focusses on byelaws that relate to the Department for Levelling Up, Housing and Communities (DLUHC).

- 2.2 In 2016 DLUHC (at this time referred to as the Ministry of Housing Communities and Local Government), introduced an alternative procedure for byelaws relating to this department. Formerly, byelaws were required to seek both indicative and then subsequent formal approval by the secretary of state. The changes in 2016 sought to remove the requirement for both indicative and final approval however introduced the requirement for Local Authorities to undertake a deregulatory assessment and submit that assessment, alongside supporting materials, to the Secretary of State who will either grant leave to introduce the order locally, or otherwise. The current process for introduction of a byelaw is as follows:
1. Evidence Gathering
  2. Drafting of Byelaw
  3. Deregulatory Assessment
  4. Present to Secretary of State
  5. Secretary of State Approval
  6. Cabinet Report for Consultation
  7. Consultation
  8. Amendments to draft Byelaw
  9. Cabinet Approval
  10. Council Approval
  11. Advertise
  12. Enact
- 2.3 Enforcement of a byelaw is through the Magistrates Court and to breach a byelaw is a criminal offence carrying a maximum fine of £500.
- 2.4 It should be noted that various alternative powers exist, such as a Public Space Protection Order, as well as a variety of informal measures as well as formal enforcement in relation to individuals. In order to consider any form of local provision such as a byelaw or a Public Space Protection Order, the Council must be satisfied of the following in relation to the behaviour to be addressed:
- Behaviours could be considered unreasonable
  - Behaviour have an adverse impact on others
  - Behaviours can be evidenced as persistent
  - Behaviours are carried out by different people, making action against individuals ineffective
  - Other alternative measures have been implemented, without the desired impact
- 2.5 In relation to Public Space Protection Order (PSPO) specifically, this is a power that can be introduced locally and does not require engagement with the Secretary of State however requirement in terms of evidence and impact of behaviour is similar, alongside consultation. A PSPO also offers additional enforcement options, such as issuing a Fixed Penalty Notice (a fine of £100). Enforcing bodies can also consider summoning an individual to court, either for repeated or serious offences or where a fixed penalty is not paid. This could lead to a maximum fine of £1,000.

### **3. Options considered and recommended proposal**

- 3.1 This report is provided for information only in relation to the powers available in order to support the OSMB in conducting further enquiries in relation to byelaws.
- 3.2 It is recommended that the report is noted and that a further presentation be provided to OSMB looking specifically at lifesaving equipment and exploring the evidence and options available in order to safeguard this vital equipment.

### **4. Consultation on proposal**

- 4.1 Consultation has not taken place on this outline report, which is for information only. As noted within the body of the report, introduction of any formal powers detailed in this report requires a full public consultation.

### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Report is provided for information only.

### **6. Financial and Procurement Advice and Implications**

- 6.1 As this report does not contain any decision, there are no direct financial or procurement implication. Should any future proposal to enact byelaws or PSPOs be made then this would require detailed analysis of the financial and procurement implications associated with the proposed approach.

### **7. Legal Advice and Implications**

- 7.1 The legal implications are noted within the body of the report and these largely relate to the 'Byelaws (Alternative Procedure) (England) Regulations 2016' and the Antic-social Behaviour, Crime and Policing Act 2018 and associated guidance notes.
- 7.2 Any future consideration of individual byelaws or PSPOs would be developed in conjunction with legal advice and any decision to consult or implement would contain a detailed assessment of any legal implications.

### **8. Human Resources Advice and Implications**

- 8.1 There are no staffing implications in relation to this report.

### **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 This report does not contain any implications for Children and Young People however the impact of any law which could potentially criminalise young people must be carefully considered and therefore a detailed assessment would be required should any draft or final order be proposed for consideration.

**10. Equalities and Human Rights Advice and Implications**

- 10.1 This report does not propose any decision and therefore there are no direct implications.

**11. Implications for CO<sub>2</sub> Emissions and Climate Change**

- 11.1 This report does not propose any decision and therefore there are no direct implications.

**12. Implications for Partners**

- 12.1 Whilst this report does not propose a decision and therefore no implication for partners, any draft or final order may have significant impacts on partners such as the Police and the Fire Service. These implications would need to be assessed in detail should any draft order be proposed and in a number of cases would likely be statutory consultees.

**13. Risks and Mitigation**

- 13.1 As this report does not propose a decision, no mitigations are required at this time. The report does highlight some of the strengths and weaknesses of the various approaches.

**Accountable Officer(s)**

Emma Ellis, Head of Community Safety and Regulatory Services

Sam Barstow, Assistant Director Community Safety and Street Scene

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

**FORWARD PLAN OF KEY DECISIONS**  
**1 May 2023 – 31 August 2023**

This is formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of Key Decisions due to be taken by the Authority and of those parts of the Cabinet meeting identified in this Forward Plan will be held in private because the agenda and reports for the meeting will contain confidential or exempt information as defined in the Local Government Act 1972.

Contact Information:-

Democratic Services  
Riverside House  
Main Street  
Rotherham  
S60 1AE

Email: [governance@rotherham.gov.uk](mailto:governance@rotherham.gov.uk)  
Tel: 01709 822477

### What is the Forward Plan?

The Forward Plan contains all the key decisions the Council expects to take over the next three months. It will be refreshed monthly and will give at least 28 days' notice of any Key Decisions and, if applicable, the Cabinet's intention to discuss an item in private. This gives you the opportunity to submit relevant documents to the decision maker concerning any individual Key Decisions and draws to your attention any relevant constitution process.

### What is a Key Decision?

A Key Decision is one which is likely to:-

- relate to the capital or revenue budget framework that is reserved to the Council, or
- result in income, expenditure or savings of £400,000 or greater, or
- have a significant effect on two or more wards

A Key Decision can be made by the Cabinet. The Forward Plan also includes some matters which are not Key Decisions under the heading "Decisions which are not Key Decisions".

### What does the Forward Plan tell me?

The plan gives information about:

- what key decisions are to be made in the next three months.
- the matter in respect of which the decision is to be made.
- who will make the key decisions.
- when those key decisions are likely to be made.
- what documents will be considered.
- who you can contact for further information.

### Who takes Key Decisions?

Under the Authority's Constitution, Key Decisions are taken by the Cabinet. Key Decisions are taken at public meetings of the Cabinet. The Cabinet meets once a month on a Monday at 10.00am at Rotherham Town Hall. Meeting dates for 2022/23 are:

20 June 2022	19 September 2022	21 November 2022	23 January 2023	20 March 2023	15 May 2023
11 July 2022	17 October 2022	19 December 2022	13 February 2023	24 April 2023	

### Further information and Representations about items proposed to be heard in Private

Names of contact officers are included in the Plan.

If you wish to make representations that a decision which is proposed to be heard in private should instead be dealt with in public, you should contact Democratic Services by no later than five clear working days before the meeting. At the end of this document are extracts from the Local Government Act 1972 setting out the descriptions of information which may be classed as "exempt", and the definition of confidential information.

### The members of the Cabinet and their areas of responsibility are: -

Councillor Chris Read	Leader of the Council
Councillor Sarah Allen	Deputy Leader and Cabinet Member for Neighbourhood Working
Councillor Saghir Alam	Cabinet Member for Corporate Services, Community Safety and Finance
Councillor Dominic Beck	Cabinet Member for Transport and Environment
Councillor Amy Brookes	Cabinet Member for Housing
Councillor Victoria Cusworth	Cabinet Member for Children and Young People
Councillor Denise Lelliott	Cabinet Member for Jobs and Local Economy
Councillor David Roche	Cabinet Member for Adult Social Care and Health
Councillor David Sheppard	Cabinet Member for Social Inclusion

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
<b>MEETING SCHEDULED FOR 15 MAY 2023 CANCELLED</b>								
<b>KEY DECISIONS TO BE TAKEN ON 19 JUNE</b>								
<b>ADULT CARE, HOUSING AND PUBLIC HEALTH</b>								
District Heating Charges 2023-2024	May 2023	To recommend to Council the amendments to the District Heating charges for 2023-2024 and delegate authority for any subsequent changes to pricing.	Cabinet Member for Housing	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Ian Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk
<b>CHILDREN AND YOUNG PEOPLE'S SERVICES</b>								
SEN Resource Bases	May 2023	To approve the development of the proposed SEN resource bases.	Cabinet Member for Children and Young People	Relevant Members, Officers and Stakeholders.	Report and appendices.	All Wards	Open	Nicola Curley nicola.curley@rotherham.gov.uk
Schools Accessibility Strategy	May 2023	To approve the implementation of the Schools Accessibility Strategy and proposed use of the Accessibility Fund.	Cabinet Member for Children and Young People	Relevant Members, Officers and Stakeholders.	Report and appendices.	All Wards	Open	Nicola Curley nicola.curley@rotherham.gov.uk
<b>FINANCE AND CUSTOMER SERVICES</b>								
Covid Recovery Fund	March 2023	To note the use of the Covid Recovery Fund during 2022/23. To approve the proposed use of the remaining Covid Recovery Fund.	Cabinet Member for Corporate Services, Community Safety and Finance	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Finance Update	March 2023	To note the anticipated outturn position 2022/23 prior to the more detailed outturn report being presented to Cabinet in July.	Cabinet Member for Corporate Services, Community Safety and Finance	Relevant Members, officers and stakeholders.	Report and appendices	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
<b>REGENERATION AND ENVIRONMENT</b>								
Corporation Street Compulsory Purchase Order (CPO)	March 2023	To note the progress made, next steps, and anticipated timescale to confirmation of the Compulsory Purchase Order for 3-7 Corporation Street.	Cabinet Member for Jobs and the Local Economy	Relevant Members, officers and stakeholders.	Report and appendices	Boston Castle	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
Decarbonisation Programme	March 2023	To approve the decarbonisation programme and the procurement of associated contracts.	Cabinet Member for Jobs and the Local Economy	Relevant Members, officers and stakeholders	Report and appendices	All Wards	Part exempt	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
Electric Vehicle Charging Project - Drummond St Car Park	March 2023	To approve the electric vehicle charging project for Drummond Street Carpark.	Cabinet Member for Jobs and the Local Economy	Relevant Members, Officers and Stakeholders.	Report and appendices	Rotherham East	Part exempt	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
Hackney Carriage and Private Hire Licensing Policy	March 2023	To approve for consultation a revised draft Hackney Carriage and Private Hire Licensing Policy consultation.	Cabinet Member for Jobs and the Local Economy	Relevant Members, Officers and Stakeholders	Report and appendices	All Wards	Open	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
Multiply Programme	March 2023	To approve the acceptance of the Multiply grant from SYMCA for 2023/24 and 2024/25	Cabinet Member for Jobs and the Local Economy	Relevant Members, officers and stakeholders	Report and appendices	All Wards	Open	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
<b>NON-KEY DECISIONS TO BE TAKEN ON 19 JUNE 2023</b>								
<b>ASSISTANT CHIEF EXECUTIVE</b>								
Equalities Annual Report	March 2023	To report on progress in delivering the Council's Equalities Strategy over the last 12 months and note the actions for the coming year.	Leader of the Council, Cabinet Member for Corporate Services, Community Safety and Finance	Relevant Members, officers and stakeholders.	Report and appendices	All Wards	Open	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk



Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
Appointments to Outside Bodies	May 2023	To approve the Council's appointments for the municipal year 2023-24.	Leader of the Council	Relevant Members, officers and stakeholders.	Report and appendices.	All Wards	Open	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk
Scrutiny Review Recommendations - Access to Primary Care	February 2023	To receive the report and consider the recommendations.	Cabinet Member for Adult Social Care and Health	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk
Scrutiny Review Recommendations - Modern Slavery	February 2023	To receive the report and consider the recommendations.	Cabinet Member for Corporate Services, Community Safety and Finance	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk
<b>FINANCE AND CUSTOMER SERVICES</b>								
New Applications for Business Rates Relief	March 2023	To consider the recommendation for a new application for Business Rates discretionary relief.	Cabinet Member for Corporate Services, Community Safety and Finance	Relevant Members, officers and stakeholders.	Report and appendices	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
<b>KEY DECISIONS TO BE TAKEN ON 10 JULY OR LATER</b>								
<b>ADULT CARE, HOUSING AND PUBLIC HEALTH</b>								
Housing Development Programme Report 2023-24	May 2023	To approve the continuation of the Housing Delivery Programme.	Cabinet Member for Housing	Relevant Members, Officers and Stakeholders.	Report and appendices.	All Wards	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Ian Spicer Tel: 01709 255992 ian.spicer@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
<b>FINANCE AND CUSTOMER SERVICES</b>								
Financial Outturn 2022-23	May 2023	To approve the unaudited revenue and capital outturn for 2022/23 and note the impact on reserves.	Cabinet Member for Corporate Services, Community Safety and Finance	Relevant Members, Officers and Stakeholders.	Report and appendices.	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Treasury Management Outturn 2022-23	May 2023	To note treasury management activity during 2022/23 reviewed against the approved strategy, including the outturn position for the prudential indicators.	Cabinet Member for Corporate Services, Community Safety and Finance	Relevant Members, Officers and Stakeholders.	Report and appendices.	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
May 2023-24 Financial Monitoring Report	May 2023	To note the current revenue and capital monitoring position and agree any required actions.	Cabinet Member for Corporate Services, Community Safety and Finance	Relevant Members, Officers and Stakeholders.	Report and appendices	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
<b>REGENERATION AND ENVIRONMENT</b>								
Rotherham Markets & Central Library	March 2023	To approve the implementation of the markets & Central Library development and contract award.	Cabinet Member for Jobs and the Local Economy	Relevant Members, officers and stakeholders.	Report and appendices	All Wards	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
Local Plan: Adoption of Supplementary Planning Documents	March 2023	To approve the adoption of the following Supplementary Planning Documents: • Developer Contributions SPD • Biodiversity Net Gain SPD • Trees SPD • Soils SPD • Development in the Green Belt SPD (minor amendment to existing SPD)	Cabinet Member for Jobs and the Local Economy	Relevant Members, officers and stakeholders.	Report and appendices	All Wards	Open	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
Maltby Project (Towns & Villages Fund)	May 2023	Cabinet approves the use of the Towns & Villages Funds to implement a project at Maltby.	Deputy Leader and Cabinet Member for Neighbourhood Working	Relevant Members, officers and stakeholders.	Report and appendices.	Hellaby & Maltby West; Maltby East	Open	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
Dinnington Projects (Levelling Up Fund)	May 2023	To accept and approve the use of the Levelling Up Funds (LUF) to implement projects at Dinnington.	Cabinet Member for Jobs and the Local Economy	Relevant Members, officers, and stakeholders.	Report and appendices.	Dinnington	Part exempt	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
Wath Projects (Levelling Up Fund)	May 2023	To accept and approve the use of the Levelling Up Funds (LUF) to implement projects at Wath.	Cabinet Member for Jobs and the Local Economy	Relevant Members, officers, and stakeholders.	Report and appendices	Wath	Open	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
Rother Valley & Thrybergh Masterplans	May 2023	To approve the Masterplans and the implementation of Levelling Up Fund Projects including within these.	Cabinet Member for Jobs and the Local Economy	Relevant Members, officers and stakeholders.	Report and Appendices	Dalton & Thrybergh; Wales	Open	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
General Enforcement Policy	May 2023	To approve a revised Enforcement Policy.	Cabinet Member for Transport and Environment	Relevant Members, officers, and stakeholders.	Report and appendices.	All Wards	Open	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
CCTV Policy	May 2023	To approve the overt CCTV policy.	Cabinet Member for Corporate Services, Community Safety and Finance	Relevant Members, officers and stakeholders.	Report and appendices	All Wards	Open	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
<b>NON-KEY DECISIONS TO BE TAKEN ON 10 JULY OR LATER</b>								
<b>ASSISTANT CHIEF EXECUTIVE</b>								
Annual Report on Council Plan and Year Ahead Delivery Plan Progress for 2022-2023.	March 2023	Annual Report on Council Plan and Year Ahead Delivery Plan Progress for 2022-2023.	Leader of the Council	Relevant Members, officers and stakeholders.	Report and appendices	All Wards	Open	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk
<b>FINANCE AND CUSTOMER SERVICES</b>								
New Applications for Business Rates Relief	July 2022	To consider the recommendation for a new application for Business Rates discretionary relief.	Cabinet Member for Corporate Services, Community Safety and Finance	Relevant Members, Officers and Stakeholders.	Report	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

Decision title	Date added to the Forward Plan	What is the decision?	Cabinet Portfolio	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
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**LOCAL GOVERNMENT ACT 1972 SCHEDULE 12A**  
**ACCESS TO INFORMATION: EXEMPT INFORMATION**  
**PART 1**  
**DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND**

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes –
  - a. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - b. to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**PART 2**  
**QUALIFICATIONS: ENGLAND**

*Paragraphs 1-8 repealed.*

- 9 Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
- 10 Information which –
  - a. falls within any of paragraphs 1 to 7 above; and
  - b. is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

**LOCAL GOVERNMENT ACT 1972**  
**SECTION 100A(3) – DEFINITION OF CONFIDENTIAL INFORMATION**

Confidential information means –

- a. information furnished to the council by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public; and
  - b. information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court;
- and, in either case, the reference to the obligation of confidence is to be construed accordingly.

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