



Council

Wednesday 29 November 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:- **21 November 2023**

COUNCIL

Wednesday 29 November 2023 at 2.00 p.m.

THE MAYOR (Councillor Robert Taylor)
DEPUTY MAYOR (Councillor Sheila Cowen)

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.
HALL, Julia

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
FOSTER, Carole

KILNHURST AND SWINTON (EAST)

CUSWORTH, Victoria
HARPER, Nigel

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 29 November 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. MINUTES OF THE PREVIOUS COUNCIL MEETING (Pages 13 - 77)

To receive the record of proceedings of the ordinary meeting of the Council held on 4 October, 2023, and to approve the accuracy thereof.

4. 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.

5. 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.

6. 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.

7. 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.

8. LEADER OF THE COUNCIL'S STATEMENT

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

9. MINUTES OF THE CABINET MEETING (Pages 79 - 109)

To note the minutes of the Cabinet Meeting held on 18 September and 16 October, 2023.

10. RECOMMENDATION FROM CABINET - POLLING DISTRICTS AND POLLING PLACES REVIEW 2023 - FINAL PROPOSALS (Pages 111 - 261)

To consider the recommendations from Cabinet regarding the Polling Districts and Polling Places Review 2023 Final Proposals.

11. RECOMMENDATION FROM CABINET - TRANSFER OF POLICE AND CRIME COMMISSIONER FUNCTIONS TO SOUTH YORKSHIRE MAYOR - MAY 2024 (Pages 263 - 274)

To consider the recommendation from Cabinet regarding the transfer of Police and Crime Commissioner functions to the South Yorkshire Mayor from May 2024.

12. RECOMMENDATION FROM CABINET - GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY (Pages 275 - 348)

To consider the recommendation from Cabinet regarding the Gambling Act 2005 Statement of Licensing Policy.

13. CABINET RESPONSE TO SCRUTINY REVIEW RECOMMENDATIONS - IMPACT OF SELECTIVE LICENSING (Pages 349 - 378)

To consider the recommendation from Cabinet regarding their response to the scrutiny review recommendations on the impact of selective licensing.

14. CABINET RESPONSE TO SCRUTINY REVIEW RECOMMENDATIONS - MODERN SLAVERY (Pages 379 - 408)

To consider the recommendation from Cabinet regarding their response to the scrutiny review recommendations on modern slavery.

15. RECOMMENDATIONS FROM THE INDEPENDENT REMUNERATION PANEL - MEMBERS ALLOWANCES (Pages 409 - 433)

To consider the report and recommendations from the Independent Remuneration Panel.

16. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS FOR BRINSWORTH (Pages 435 - 436)

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

17. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS FOR KEPPEL (Pages 437 - 438)

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

18. NOTICE OF MOTION - NO CONFIDENCE IN THE ABILITY OF THE ENVIRONMENT AGENCY TO PROTECT ROTHERHAM RESIDENTS FROM FLOODING

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

This Council notes:

1. With great regret, the devastating flooding that occurred in Catcliffe and Treeton on 21st October 2023. As a result of the flooding, hundreds of houses were evacuated and extensive damage to property resulted from the ingress of flood waters to domestic properties and local businesses.
2. That looting of residential properties occurred in Catcliffe during the floods in 2007.
3. That in the aftermath of the 2007 Catcliffe floods the Council held a public meeting with residents to discuss the evacuation, flood, and subsequent response and receive feedback from residents.

This Council is concerned:

4. That the Environment Agency did not issue an appropriate warning early enough to reduce the risk to life and enable more motor vehicles and personal possessions to be saved from the flood waters. Water levels were rising for some time before flood defences in Catcliffe were breached.
5. About the difficulty residents in Catcliffe have reported in obtaining home and motor vehicle insurance, and in some instances where residents have obtained a quotation, it has been unaffordable.
6. That South Yorkshire Police were actively enforcing the underused Wood Lane bus gate when alternative main routes in Catcliffe and Brinsworth were impassable, when looting of evacuated residential properties was a high risk.
7. That South Yorkshire Police have not changed their policy on enforcement of the Wood Lane bus gate when they attempted to prioritise enforcement of this during the 2019 flooding crisis that affected

residents in the borough.

This Council therefore resolves:

1. That it has no confidence in the ability of the Environment Agency to provide an adequate response to future flooding in Catcliffe and Treeton to keep residents, homes, and businesses safe.
2. That the Chief Executive and Council Group Leaders are requested to write to:
 - a. The Environment Agency requesting:
 - i. A detailed explanation and a commitment to hold an enquiry to determine why a suitable warning was not issued to residents earlier when it was clear that flood waters would imminently breach the flood defences in Catcliffe.
 - ii. Significant investment in and improvement of the flood defences of the River Rother at Catcliffe.
 - iii. A detailed explanation and a commitment given to residents why active flood management of the River Rother up and down-stream of Catcliffe and Treeton did not appear to take place in the October 2023 flood.
 - b. The Chief Constable of South Yorkshire Police and Police and Crime Commissioner:
 - i. Expressing regret that the Force focussed on enforcing the bus gate on Wood Lane at a time when alternative main routes in Catcliffe and Brinsworth were impassable and looting of residential properties was a high risk.
 - ii. Requesting a commitment to residents that they will not enforce the Wood Lane bus gate when flooding is affecting main routes into and out of Catcliffe, Treeton, and Brinsworth; and ensure that commanding officers are made aware of this commitment.
 - c. The Government requesting funding to as a minimum implement the Council's Six Priority Flood Alleviation Schemes throughout the borough, and specific additional funding to invest in further improvements to better protect Catcliffe and Treeton.
3. That the Council's spokesperson on the South Yorkshire Police and Crime Panel is requested to raise the issues outlined in 2.b.i. and 2.b.ii. directly with the Police and Crime Commissioner and South Yorkshire Police leadership at the next meeting of the Police and Crime Panel.
4. That the Council's Overview and Scrutiny Management Board considers a further review into flood defences in the borough, with a particular focus on those areas where flood defences were breached in the October 2023 floods.
5. That the Council's Cabinet is asked to consider additional capital

funding to improve flood defences in Catcliffe and to consider funding projects that will better make homes in Catcliffe and Treeton safer from flooding.

6. That the Council holds a public meeting in a suitable local venue within the next three months with residents of Catcliffe and Treeton to hear their feedback about the flooding, evacuation, and subsequent response along similar lines as in 2007; with senior council officers, cabinet members, councillors, South Yorkshire Police, and the Environment Agency requested to be in attendance.

19. NOTICE OF MOTION - DROPPINGWELL TIP (ENVIRONMENTAL MONITORING)

To be moved by Councillor Jones and seconded by Councillor Elliot.

That this Council notes that:

1. Since 2016 there have been many complaints to the Environment Agency around the re-permitting of the Grange landfill site at Droppingwell. Despite the valiant efforts of the Droppingwell Action group and the Council, the works carry on, without the proper level of scrutiny and regulation of the Environment agency. This has led to direct complaints to the EA that we believe haven't been properly investigated.

The Council believes that:

1. As part of the environmental monitoring of the site, the operator was required to install various monitoring systems. One of these systems was a network of ground water bore holes, that under the European landfill directives, is required to update the condition of the permit. The operator, without any prior knowledge or permission proceeded to drill a bore hole (bh5) on council property. Subsequently on two occasions the borehole was damaged to restore the access track to a useable condition after unpermitted use by a contractor. At no point was anyone made aware of the existence of BH5 and at no point has any formal permission been sort the site the hole on council land. The test results from BH5 were questioned after test samples were allocated to BH5, even when the hole was not in existence. The investigation by the EA claimed that "the hole had been vandalised." This claim was totally incorrect, at the point of investigation, only a very small number of people knew of the bore holes existence and certainly didn't know of its location.
2. In correspondence with senior officers at the council, the EA have claimed that the siting of BH5 is a matter for the operator to address with RMBC. They also carried onto say that the reinstatement of BH5 was "preferable but not required "as part of the pre-conditions for the sites re opening. Every 6 months the EA must carry out a compliance report, this report matches the sites operation with the conditions of the license. Over the last two years while expressing to the council that the reinstatement wasn't a "requirement" the CAR report to the operator has

expressed the EAs concern that the borehole hadn't been reinstated and reminded the operator that "until the requirement to re-instate bh5 was undertaken, no waste could be accepted onto site".

3. We believe that the communications from the EA to RMBC have been very disingenuous, to try to downplay the requirement for BH5's re-instatement. We also believe that should the borehole now be re-instated, with its location now public and readily accessible, the possibility of it being in a serviceable condition for any length of time, is highly unlikely. The monitoring of the borehole would also require repeated access on a monthly basis to land that we have now gated off to stop illegal trespass, this would then risk a claim of access in law by the operator, who is already trying to claim a right of access over our land.

Therefore this Council resolves that:

1. Permission to re-instate the borehole on council land be refused and that any access to the land be denied.

20. NOTICE OF MOTION - ISRAEL AND PALESTINE

To be moved by Councillor Ball and seconded by Councillor Burnett:

Rotherham Metropolitan Borough Council is saddened and disturbed by the terrorist atrocities being committed by the terrorist group Hamas against Israel, as we have seen this has caused horrific devastation and created an escalating humanitarian crisis.

Considering this, Rotherham Metropolitan Borough Council resolves to:

1. Express support to members of our Rotherham community who have been deeply impacted by this conflict.
2. Condemns the pulling down of the Israeli flag from the Town Hall in which South Yorkshire Police are investigating this incident.
3. Condemns the rise in anti-Semitic attacks across Rotherham and the South Yorkshire area.
4. Reiterate our support for Rotherham Metropolitan Borough Council's adoption of the International Holocaust Remembrance Alliance's (IHRA) working definition of anti-Semitism.
5. Call on local media to always refer to Hamas as 'terrorists' rather than 'militants' for the reasons of factual accuracy and common decency.
6. Support the local call for humanitarian pauses to allow in aid and help the release of hostages, while underscoring the need to protect both Palestinian and Israeli civilians.

21. NOTICE OF MOTION - SCHOOL ROAD SAFETY AND STREET MOTION

To be moved by Councillor Tinsley and seconded by Councillor Fisher.

That this Council note that:

1. Approximately 1200 school children are injured each month in traffic related collisions within a 500m radius of schools. (According to ROSPA) School Crossing Patrol Operatives play a vital role in ensuring children's safety on route to school. However, the last major change in road safety around schools in the Rotherham Borough was back in 2009, which resulted in the introduction of Traffic Regulation Orders to enforce School Crossings and advisory 20MPH speed limit signs that were fitted near schools more recently.
2. "School street" schemes, have proven successful in multiple UK authorities, closing roads during drop-off and pick-up times to enhance pupil safety, promote active travel, and improve air quality.
3. The Council currently work with the Road Safety Partnership to educate School Children and Adults around road dangers and behaviours.

We believe that:

1. School Crossing Patrol operatives face instances where cars fail to stop. We believe that the Council is seemingly not recording these instances along with prosecuting vehicle owners.
2. Cars regularly park on School Keep Clear Lines (zig zag) and contraventions are hard to enforce.
3. Car's parking on pavements near Schools, impede the view of pedestrians making it hazardous for children and adults to cross safely.
4. School Street initiatives establish a vehicle free zone near school entrances or gates during School drop-off and pick-up times. By regulating vehicle access on specific School Streets, these initiatives facilitate safe crossings in front of school entrances/gates. These schemes also help to promote walking or cycling to school for both parents and school children, contributing to a decrease in air pollution around Schools.

Therefore this Council resolves to:

1. Enhance and improve the process and reporting of near miss incidents for Crossing Patrol Operatives. Provide body worn cameras to aid documenting and prosecuting non-compliance of stop signs.
2. Explore technologies that can aid in enforcing School Crossings (Zig Zag Lines) traffic regulation orders (TROS). Analyse and put into action appropriate parking and road markings around school entrances to guarantee an unobstructed, safe view for pedestrians crossing.

3. Commit to work with schools and ward councillors within our authority that would benefit from a school street and compile a list of schools where school street trials could be launched as soon as practically possible, once the Council has the relevant powers to enforce them, fast tracking where experimental traffic orders could be used.
4. Continue to work with all schools in the Rotherham Borough to develop accredited Travel Plans, which will include enforceable No-Idling Zones and “school streets” schemes. Providing a member session to inform members of the support available to Schools.

22. AUDIT COMMITTEE (Pages 439 - 446)

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

To confirm the minutes as a true record.

23. HEALTH AND WELLBEING BOARD (Pages 447 - 464)

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

To confirm the minutes as a true record.

24. LICENSING BOARD, LICENSING BOARD SUB-COMMITTEE AND LICENSING SUB-COMMITTEE (Pages 465 - 477)

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.

25. PLANNING BOARD (Pages 479 - 484)

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

To confirm the minutes as a true record.

26. STANDARDS AND ETHICS COMMITTEE (Pages 485 - 488)

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

To confirm the minutes as a true record.

27. 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).

28. 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).

29. 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
17 January 2024 at 2.00 p.m.**