

THE CABINET
10th June, 2024

Present:- Councillor Read (in the Chair); Councillors Alam, Allen, Baker-Rogers and Cusworth.

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

Apologies for absence were received from Councillors Sheppard and Taylor.

1. DECLARATIONS OF INTEREST

There were no declarations of interest to record.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC

A number of members of the public attended the meeting and asked the following questions:-

(1) Mr. Stubbs, a member of the Boston Castle Moorgate Residents Association, expressed his disappointment following the questions at the Council Meeting on the 22nd May, 2024 where it was suggested a meeting be arranged with local residents following the raising of their concerns and the number of questions unanswered.

A letter from the Chief Executive indicated a meeting would be arranged by the 7th June, 2024, but nothing had yet been confirmed.

In response the Chief Executive confirmed she had written to Councillor Yasseen, Ward Member. The Chief Executive advised that any such meeting would be subject to further consideration in light of the calling of a General Election.

A meeting would be arranged as quickly as possible following consultation with the Monitoring Officer and details provided in the next few days.

In a supplementary question Mr. Stubbs explained it had been three weeks since the meeting of full Council. Residents were experiencing problems on a day-to-day basis and believed the Council was simply stalling. A residents' meeting attended by over a hundred and twenty people was arranged on the 20th May, but neither Councillor Sheppard nor anyone accountable attended this public meeting.

The Chief Executive reiterated the need to take advice given the restrictions on holding meetings during the period leading up to a General Election, but confirmed when a meeting was arranged senior officers would be in attendance and updates on actions to date would be provided.

(2) Councillor Yasseen referred to the situation with the Carlton Park Hotel and the recent residents' meeting which was held on the 20th May, 2024. From this meeting a priority list of queries was produced by residents, but the main issue of concern was did the Council have a legal contract in place with the owners of the Carlton Park and if so when did it commence and when would it end.

The Assistant Director for Housing confirmed there was no actual contract as such with the hotel and rooms were paid for on a nightly basis much like any other booking.

In a supplementary question Councillor Yasseen, therefore, asked how could the Council ensure priority for individuals and ensure the hotel was meeting specific need. It was difficult to understand how the hotel played a role in emergency housing when it continued to take regular bookings.

The Assistant Director for Housing explained the Carlton Park was just a provider for emergency accommodation and the wrap around support for individuals was provided by the Council. Those placed in emergency accommodation in a hotel had a designated support worker and were referred into commissioned support services.

Households placed at the hotel were subject to an occupancy agreement. In the event that occupancy agreements were breached then, if appropriate, the Council could bring a duty to accommodate to an end.

(3) Mr. Azam reiterated his current and previous concerns about Herringthorpe's Muslim Burial Ground and provided background information about the planning application to extend submitted in October, 2022. Little progress had been made and despite responses from statutory consultees it would appear Dignity believed it no longer viable to pursue the application. He, therefore, asked what was the Council's stance on this application and what was now happening with the land.

The Monitoring Officer pointed out the planning application was for Dignity to address. A meeting had been arranged with Dignity's Chief Executive, but this had to be rearranged to hopefully later this week where an update would be provided.

The Liaison Meeting was due to meet on the 25th July and a full update from both the Council and Dignity would be provided.

In a supplementary question Mr. Azam expressed his frustration with this long running issue and sought assurances that whichever Cabinet Member Bereavement Services came under would give their commitment moving forward. Visits had been made to the Muslim Section of the graveyard and an invitation was also extended to the Cabinet Member.

The Leader confirmed Bereavement Services was under the portfolio of Councillor Sheppard, who was also the Deputy Leader and he would, indeed, pass on the invitation.

(4) Mr. Hussain shared information he had received from Councillor Sheppard which indicated there was enough space in the Muslim Section at Herringthorpe Graveyard for six years and six months based on the figures he had received.

Having walked around the area there was only enough space for around sixty-five graves. Based on burial figures over the last five years, there was barely only two years space left. The calculations from Councillor Sheppard obviously differed and he provided details of the burials to date for this year alone.

The Monitoring Officer confirmed the data had been provided by Dignity and Glendale and formed part of their operational plan. Mr. Hassan was invited to provide further information and this would be taken forward with Dignity and Glendale and reviewed.

The Leader pointed out that the spacing concerns could be pointed out to Councillor Sheppard when a visit was arranged.

In a supplementary question Mr. Hussain explained he was in receipt of correspondence from Dignity dated 7th June, 2024, setting out figures for burials over the last three years, which directly conflicted with the information Councillor Sheppard had. He asked if someone could look into this.

The Leader invited Mr. Hussain to provide details of the information he was in receipt of and for this to be raised in the Liaison Meeting to ensure the correct figures were shared with everyone.

3. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the Cabinet meeting held on 18th March, 2024 be approved as a true and correct record of the proceedings and signed by the Chair.

4. EXCLUSION OF THE PRESS AND PUBLIC

There were no items of business on the agenda that would require the exclusion of the press and public from the meeting.

5. HOUSING RELATED SUPPORT FLEXIBLE PURCHASING SYSTEM (FPS) PROGRESS REPORT

Consideration was given to the submitted report which provided an update on the Housing Related Support Pathway and the implementation of the Flexible Purchasing System to support one pathway for Housing Related Support in Rotherham.

Housing Related Support Services were non-statutory services that supported people experiencing homelessness, (or are at risk of becoming homeless), to live independently in the community. It was designed to support the Council's efforts to alleviate and prevent homelessness.

This report, therefore, provided an update on actions taken to produce an agreed overarching service specification, co-designed with the market. It also described how this had been used to appoint experienced and skilled providers to the Flexible Purchasing System, which were able to support anyone at risk of homelessness, in a person-centred way.

The Flexible Purchasing System also allowed for timely access to the market, in the form of good quality and contractually compliant providers, to maximise future short-term grant funding opportunities which may become available in the future.

The re-commissioned Housing Related Support services have been developed alongside the market, and structured into the new pathway which created a single route into Housing Related Support, through the Council's Housing Service. To award the contracts for the re-designed services, further competitions have been undertaken with the providers appointed to the Flexible Purchasing System.

The services would support people who were able to live independently, but due to a range of factors, required additional support to build the skills and resources to manage their own home. The service would provide accommodation in the short-term, and work in a multi-agency way to develop plans for 'move on' and enable people to live independently in their own home.

The service would offer a pathway to move on accommodation, enabling people to explore different housing options and developing a plan of how to get there.

As the current contracts become live from 1st July 2024, this would be continually monitored. This change was supported by a clear communications plan, led by the providers and supported by the Council.

Efforts were already showing positive results and the Cabinet Member was looking forward to collaborating with providers and partners to ensure Council housing related support service were developed.

Cabinet welcomed the opportunities to ease the pressures and concerns on homelessness accommodation and whilst it was still early days the strategy would support those individuals who were at risk, to prevent them from becoming homeless and provide help that could be tailored to their needs.

Cabinet Members were committed to working together across directorates to ensure the outcomes could be delivered across various aspects of services.

The Assistant Director of Strategic Commissioning pointed out the number of providers provided positive assurance and significant value for those homeless or at risk. The Pathway provided the assurance and due diligence and the revised specification was fit for purpose for current need.

Resolved:- (1) That the update on the establishment of the Flexible Purchasing System for Housing Related Support Services as agreed by Cabinet in October 2022 be noted.

(2) That the success of the work undertaken to date with the establishment of the Flexible Purchasing System and subsequent procurement and contract award activity be noted.

(3) That a review take place after the first three years of the Flexible Purchasing System, to establish that it remains fit for purpose, with recommendations brought to Cabinet in early 2027.

6. SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) STRATEGY

Consideration was given to the submitted report which detailed how in order to support the future delivery of SEND services in Rotherham it was proposed to refresh the Rotherham SEND Strategy, vision and future priorities.

The report described in detail the changing regulatory expectations and current service position since the implementation of the previous SEND Strategy in 2019 and the conclusion of the Written Statement of Action following SEND Local Area Inspection in 2021.

The report also articulated a clear rationale for developing a new strategy.

The SEND Strategy had been co-produced with key stakeholders including children and young people and parents/ carers. Plans were in place to start a conversation with the wider population, this would include further conversation with parents, carers, children, and young people about how best they could be supported to achieve the co-produced vision and outcomes.

Consultation events delivered with the Young Voices Group and Rotherham, Parent Carer Forum would enable young people, parent carers, leaders and front-line practitioners from health, education and care services including the private and voluntary sector, schools, and settings, to come together.

The events would provide an opportunity to identify areas of strength when it came to experience of SEND and co-production, as well as suggestions for further development of the Strategy.

It was important that a refreshed vision and co-produced strategy for SEND services in the Borough was developed to reflect the changing environment and the current priorities for children, young people, parent/carers and families in Rotherham. A period of consultation and further engagement would support this.

Co-production workshops and engagement with young people had highlighted the need for the new Rotherham SEND Strategy to be written in a format that enabled the children and young people to see how it would impact their lives. The outcome of the co-produced development was reflected in the language used to in the seven outcome statements:-

1. I have a voice, and this is listened to and respected.
2. I am as healthy as possible.
3. I feel safe.
4. I have help and support in a way that suits me.
5. I have adults in my life who are supported to help me.
6. I am supported to be as independent as possible and have a purposeful life.
7. I belong and feel valued.

Evidence from Rotherham Borough data had identified three areas that continued to have a significant impact on the health, well-being and educational access for Rotherham children and young people. It was proposed they will become the focus of priorities within the SEND Strategy and would be referred to as commitments.

The co-produced outcomes framework would enable children, young people, and families to understand the proposed impact of actions and how this would be measured.

The final Strategy following consultation would be brought back to scrutiny for consideration.

Cabinet noted the growing area of demand for services nationally and the impact on education in meeting complex needs compounded by the pandemic and the cost-of-living crisis. The pressure on families and children was immense, but only by understanding and addressing some of the issues could local authorities make a difference.

The Cabinet recognised the work “My Life and My Rights” and applauded the recognition and ambition within the SEND Strategy in Rotherham and suggested this be shared with other authorities.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process and full support was given to the recommendations, subject to the further recommendations on the following point below:-

- Length of the consultation process with many organisations and partners including the Parent/Carer Forum.
- Inclusion of a glossary to explain the data and information sources within the strategy would be beneficial and provide greater clarity.
- Noting the percentage of children with sleep issues rises in children with special needs particularly children on the autism spectrum and children looked after and it was felt that the work being done regarding Sleep Pathways should be scrutinised further.

Cabinet was happy to accept the additional recommendations and noted the work already taking place about Sleep Pathways, but welcomed the opportunity for this to be considered further by the Health Select Commission.

Resolved:- (1) That the consultation on the refreshed Rotherham SEND Strategy that had been co-produced with partners across the Borough be approved.

(2) That the refreshed SEND Strategy be presented back to Cabinet in late 2024 for formal approval prior to implementation.

(3) That a glossary be included within the report/strategy going forward to explain the data and information sources used.

(4) That an item regarding the work being done regarding Sleep Pathways be referred to the Health Select Commission for future consideration.

7. SEND JOINT COMMISSIONING STRATEGY FOR ROTHERHAM 2024 - 2027

Consideration was given to the report submitted which sought approval of the Rotherham SEND Joint Commissioning Strategy (2024 – 2027)

This Strategy underpinned the shared vision and principles for joint commissioning to achieve commitment to improving the outcomes and life chances of the children and young people with Special Educational Needs and Disabilities (SEND).

By adopting the Strategy, the Council would emphasise the recognition that all children and young people have individual strengths and needs and that services and provision need to be differentiated.

The SEND Code of Practice 2014 determined how local partners should work together to jointly commission services to meet local needs and support better outcomes. Joint commissioning was the process of meeting needs and improving outcomes through joint planning, agreeing and monitoring services across agencies.

The proposed Strategy, therefore, met the legislative, policy and regulatory requirement to describe how the Local Authority and its partner commissioning bodies engaged in joint commissioning arrangements and reflected the priorities defined in the draft outcomes framework.

Delivering our aspiration targets for young people.

Further information was provided on coherent joint working along the neuro development pathways and the resources being invested to meet the needs.

Resolved:- That the Rotherham SEND Joint Commissioning Strategy (2024 – 2027) be approved.

8. FINANCE UPDATE

Consideration was given to the submitted report which provided an update on a number of financial matters and provided as an interim update following the approval of the Budget and Council Tax 2024/25 report by Council on 28 February 2024 and in advance of the Financial Outturn 2023/24 report and May Financial Monitoring 2024/25 report to be submitted to Cabinet in July 2024.

This report also provided an update on the Council's administration of the Local Council Tax Support Top Up payments, Household Support Fund 2023/24 and proposals for 2024/25 along with several Capital Programme variations.

The financial monitoring final outturn position reflected an overspend of £0.1m for the financial year 2023/24. The core directorates services had a final overspend of £8.8m. The directorate overspend was partially offset by the £5m corporate budget risk contingency held within Central Services approved within the Council's Budget and Council Tax Report 2023/24. Taken with savings delivered from the Council's Treasury Management Strategy, the final underspend in Central Services was £8.7m, which reduced the Council's overall outturn to a £0.1m overspend. This was an improvement of £1.1m from the December Financial Monitoring reported to February Cabinet as service areas delivered savings ahead of year-end, improvements in income were recognised and the Council generated further savings in Treasury Management.

The Council had also been allocated a total of £2.489m from the Household Support Fund for the period of April to September 2024. From experience of previous allocations of this fund, it was proposed that the Council would support a wide range of low-income households and was not limited to those in receipt of benefits. There was flexibility within the fund to identify which vulnerable households were in most need of support and apply discretion when identifying eligibility.

Cabinet Members welcomed the Council's financial position and the ability to manage the pressures whilst ensuring analysis was undertaken to fully understand what services were doing to bringing down cost and stopping the risks increasing.

The main pressures were looked after children placement costs and home to school transport as well as homelessness. Work to reduce placement pressures was ongoing.

The options for use of Household Support Fund have been assessed to meet the criteria of the grant funding streams and aligned with the other actions being taken by the Council to support people in need.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process and full support was given to the recommendations. However, discussion had taken place on:-

- The overspend in the Children and Young People's Service directorate, noting that this related to the Looked after Children (LAC) placement mix within the borough however work was ongoing in this area.
- Improvement in the treasury outturn position specifically relating to the PWLB borrowing.
- Levelling Up Fund allocated to the Sheffield Road Cycleway project, which was to support public realm uplift.
- Clarification on the payments for the Commissioner Support to Nottingham City Council.

The Cabinet welcomed the support to the budget process and the methods for reducing costs and a mix of savings; some of which were short term and some more permanent.

Resolved:- (1) That the update on the revenue budget financial outturn 2023/24 be noted.

(2) That the Council's progress on the delivery of the Local Council Tax Support Top Up payment 2024/25 be noted.

(3) That the Council's delivery of the Household Support Fund 2023/24 be noted.

(4) That provisional allocations of the Household Support Fund Grant 2024/25 of £2.489m be approved as detailed in Section 2.5 of this report.

(5) That authority be delegated to the Assistant Chief Executive, in consultation with the Cabinet Member for Social Inclusion, to determine revised and final allocations for the Household Support Grant to include provision for other eligible actions within the use of Household Support Fund should it not be possible to achieve full spend of the grant through the approved provisional allocations.

(6) That the capital budget variations as detailed in Section 2.6 of the report be approved.

9. NEW APPLICATIONS FOR BUSINESS RATES DISCRETIONARY RELIEF FOR ROTHERHAM CROSSROADS - CARING FOR CARERS, THE FUN HUB NURSERY AND RNN GROUP

Consideration was given to the submitted report which detailed a number of applications for the award of Discretionary Business Rate Relief for Rotherham Crossroads – Caring for Carers, The Fun Hub Nursery and RNN Group.

Details on each application were provided.

These requests were in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12th December 2016).

Resolved:- (1) That the application for Discretionary Business Rate Relief for Rotherham Crossroads – Caring for Carers be approved.

(2) That the application for Discretionary Business Rate Relief for The Fun Hub Nursery be refused.

(3) That the application for Discretionary Business Rate Relief for RNN Group be refused.

10. REVIEW OF THE HOUSING ALLOCATION POLICY

Consideration was given to the submitted report which sought approval to commence a full review of the Council's Housing Allocation Policy with a view to the Council adopting a brand-new Policy during 2025 which reflected changed circumstances. The overarching aim of the review was to ensure the Council's Policy responded to demand and helped those in greatest housing need.

The consultation and engagement to establish the views and needs of people, including engagement with a range of stakeholders would be conducted throughout 2024 and early 2025.

Views from the consultation would be fed into the new Policy with an updated further report submitted in Summer 2025 detailing the findings of the consultation and a proposed refreshed policy.

Cabinet Members noted the scale and profile of housing need in Rotherham had changed significantly since 2014, whilst the Council was continuing its commitment to housing growth, the number of available social housing lettings had reduced overall across the sector. From 1980, when the Right to Buy was introduced, the Council had sold approximately 17,700 homes whilst the waiting list for Council tenants had continue to rise.

Resolved:- (1) That the proposal to commence a full review of the Council's Housing Allocation Policy be approved.

(2) That the proposed approach to undertaking the review be noted.

(3) That the new Policy be presented to Cabinet in due course for consideration and subsequent recommendation to Council for approval.

11. SCRUTINY REVIEW RECOMMENDATIONS - NATURE RECOVERY

Consideration was given to the submitted report which outlined the outcomes and recommendations of the spotlight review into nature recovery undertaken by members of the Improving Places Select Commission. The report had already been submitted to and considered by the Overview and Scrutiny Management Board at its meeting on 13 March 2024 and the Improving Places Select Commission on 19 March 2024.

The review was prompted by Council's declaration of a nature crisis at its meeting of 25 May 2022, with a request that a review be held into how the Council could support improvements to ensure a more natural environment was enhanced. The report, therefore, set out in detail the outcomes.

Resolved:- (1) That the report and the following recommendations be received:-

1. Consider what resources are required to enable RMBC to lead on the Nature Emergency and co-ordinate its response to the Environment Act 2021, including the Local Nature Recovery Strategy, Enhanced Biodiversity Net Gain, and other statutory reporting.

2. In line with the RMBC Nature Crisis Motion (and the mandatory Enhanced Biodiversity Duty), consider how RMBC's response to the nature crisis can be implemented, reported, and resourced (taking note of the response to climate action).
3. Consideration be given to the expansion of the Councillors' role as nature champions. This to include:-
 - a. How member stewardship of natural assets and geodiversity can be enhanced.
 - b. How nature recovery and climate action can be built into ward plans.
 - c. The involvement in overview and scrutiny in future monitoring and steering of this work.
 - d. Support through the Member Development Programme to ensure Members are equipped with appropriate skills and knowledge to undertake this activity.
4. Contribute to the South Yorkshire Local Nature Recovery Strategy (including appropriate resourcing), detailing Rotherham's involvement in meeting South Yorkshire national and global targets of "30 x 30" as required by the Environment Act 2021.
5. Consider and plan for how the RMBC estate including all green and blue infrastructure such as allotments, cemeteries, parks and sports fields, amenity spaces, communal gardens, railway and highway verges, field margins and hedgerows, rights of way and access routes, woodlands and nature reserves canals, rivers and other water dependent habitats, can contribute to biodiversity strategies and targets, demonstrating compliance with the Council's obligations for the Enhanced Biodiversity Duty (taking external advice where necessary).
6. Prioritise Local Wildlife Sites and Woodlands - especially those in RMBC ownership to contribute to these targets, with a coordinated 'one council' programme to increase their positive conservation management with resourced management, monitoring and reporting.
7. Continue and expand the positive work already underway including tree planting, meadow management, changes in verge management, community engagement etc (as stated in the RMBC Nature Crisis motion).
8. Utilise appropriate evidence and information from the forthcoming Rotherham State of Nature report, alongside the forthcoming SYLNRS, and the agreed priority species lists, to set local species recovery targets and work plans, and ensure sufficient resources are secured to embed this approach in long term management opportunities.

9. Continue to apply robust planning policies and other policy tools to contribute to nature's recovery across the Borough, noting that Local Planning Authorities must have regard to the South Yorkshire Local Nature Recovery Strategy once published.

10. Plan to work towards zero non-essential use of pesticides and zero glyphosate by the Council.

11. Work with communities to support expansion of household composting, and supporting the development of nature rich gardens, including through awareness raising of the waste hierarchy and minimising the use of new and scarce resources and the associated impacts on the natural environment that these issues have; substantive resourcing and engagement plans will be essential.

12. Work with partners, stakeholders, Town and Parish Councils, communities, schools and residents on the above where appropriate.

13. That consideration be given to how the process for the adoption of community wildlife sites be streamlined.

(2) That Cabinet formally consider its response to the above recommendations within two months of receipt, in accordance with the Overview and Scrutiny Procedure Rules.

12. 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.