

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Wednesday 15 October 2025

Present:- Councillor Steele (in the Chair); Councillors Bacon, Allen, Baggaley, Blackham, Brent, Harper, Keenan, McKiernan, Tinsley and Yasseen.

Apologies were received from Councillors A Carter, and Monk.

The following members of Improving Places Select Commission were also welcomed to the meeting:

- Councillor Adair
- Councillor Jones
- Councillor Thorp
- Councillor Ahmed

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

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

42. MINUTES OF THE PREVIOUS MEETING HELD ON 9TH SEPTEMBER 2025

Resolved: - That the Minutes of the meeting of the Overview and Scrutiny Management Board held on 9 September 2025 be approved as a true record with the inclusion of apologies for Councillor Allen.

43. DECLARATIONS OF INTEREST

Councillor Tinsley declared that he had previously held a licence in Maltby. It was not a financial interest and he would abstain from voting on the Selective Licensing Policy item.

44. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

No questions were received.

45. EXCLUSION OF THE PRESS AND PUBLIC

There were no reasons to exclude the press or public.

46. SELECTIVE LICENSING POLICY

Councillor Tinsley declared that he had previously held a licence in Maltby. It was not a financial interest, and he would abstain from voting on this item.

At the Chair's invitation the Cabinet Member for Housing introduced the report and made the following points:

- The cross-party consensus on the importance of safe and secure housing for families in Rotherham was emphasised.

- Highlighted achievements of previous selective licensing schemes:
 - Over 8,000 hazards removed.
 - Nearly £2 million in health benefits delivered.
 - Shut down criminal activity that had threaten the communities, including £40 million in cannabis cultivation.
 - Issued 155 emergency prohibition notices.
- The new proposals aimed to build on past success and target six areas with persistent issues: poor housing, deprivation, and antisocial behaviour.
- The Housing Act provided the Council with the authority to require landlords in designated areas to license properties and comply with conditions.
- The Council had engaged with 16,000 properties and acknowledged that while many respondents to the consultation did not support selective licensing in principle, there was strong agreement on the issues it aims to tackle.
- The scheme was self-funding, with fees solely being used for administration and enforcement.
- The previous scheme overspent by £90,000, which was covered by general funds.
- The scheme was evidence-led, community-informed, and aligned with the Council's housing strategy and plan.
- The scheme was a tool to drive up standards, protect our tenants, support responsible landlords.

At the Chair's invitation the Assistant Director, Community Safety and Street Scene acknowledged the extensive nature of the report, indicating that the most critical elements would be highlighted that demonstrated the evidential basis for the proposed selective licensing declarations and the effectiveness of the consultation process.

The Assistant Director, Community Safety and Street Scene explained that the report built upon the outcomes of two previous five-year schemes, which had run from 2015 to 2025. Those schemes had led to significant improvements in housing safety across Rotherham, in terms of the significant number of hazards identified. The Council had issued a number of notices and had prepared 48 prosecutions against non-compliant landlords which were in various stages of completion. Those interventions had made a substantial number of properties safer for families.

The report provided significant information regarding the evidence base and how it related to particular areas. The evidence base was set out within the Housing Act. Also required through the provision of the Housing Act was a formal and statutory consultation period. This included mailshots to over 16,000 properties and outreach to over 60,000 landlords via national bodies such as the National Residential Landlords Association (NRLA). Additionally, face-to-face engagement events were held in the affected communities. It was acknowledged that while many respondents did not support selective licensing in principle, there was

widespread agreement that the issues the scheme aimed to address - poor housing, environmental crime, and antisocial behaviour - were real and persistent.

In response to the consultation feedback the Council had refined some of the boundaries after reviewing the evidence at a much closer street level. In addition to that feedback some changes to the level of fees had been made, with reduced fees for compliant, or good landlords whilst further penalising those landlords that did not comply through the fee structure. This reflects a fairer and more targeted approach.

The Assistant Director, Community Safety and Street Scene then introduced the concept of stakeholder steering groups, which would be established in each designated area. This would ensure that everybody who had engaged in the consultation and anybody who was impacted and wanted to take part in the processes from those local areas was able to work with the council and its partners to influence the plans and the strategies moving forward to really ensure that this scheme in terms of selective licencing delivers on the objectives that are laid out. It was noted that this was a direct response to consultation feedback, which called for more robust local involvement.

The Assistant Director, Community Safety and Street Scene concluded by reiterating the legal requirements under the Housing Act, which mandated that decisions be evidence-based, objective and required a statutory consultation process. Members were encouraged to focus on the data and outcomes presented in the report, and to consider the broader strategic alignment of the scheme with the Council's housing strategy and corporate plan. The Assistant Director, Community Safety and Street Scene expressed confidence that the proposed declarations would deliver meaningful improvements in housing standards and community wellbeing.

The Chair invited members of the Overview and Scrutiny Management Board (OSMB) to raise questions and queries on the points raised.

Councillor Blackham sought clarification on who would be invited to join the stakeholder steering groups. The Assistant Director, Community Safety and Street Scene explained the steering groups would consist of elected members, landlords, letting agents, tenants, homeowners, social tenants and community and partnership groups. Councillor Blackham emphasised the need to encourage good quality private landlords in association with everyone else. The Assistant Director, Community Safety and Street Scene agreed, noting the fee structure changes aimed to support good landlords. The stakeholder groups would be a vehicle to promote positive behaviours with landlords and working in co-operation with them. The Council would also seek to engage with landlords across the borough and with national bodies.

Councillor Yasseen queried why the Council's Policy, Performance and Intelligence team had not been involved in the consultation and

engagement process for this item. The Assistant Director, Community Safety and Street Scene explained the Council had guidance in terms of how it operated consultation and engagement. The Assistant Director was confident in the work undertaken by officers, in that the consultation followed statutory guidance and officers went beyond the legal requirements to ensure engagement.

In another question Councillor Yasseen asked why 68.1% of private tenants oppose the selective licensing scheme. The Assistant Director, Community Safety and Street Scene explained he was unable to speak on behalf of those individuals who had responded in that manner however conversations with officers had indicated that fear of rent increases might have been a factor, however national evidence showed no direct correlation. The Council, through its reflection on the scrutiny review into selective licensing, aimed to address broader social issues through the scheme.

Councillor McKiernan asked why were some roads removed due to town centre plans, and what alternative strategies were proposed? The Assistant Director, Community Safety and Street Scene noted that statutory guidance required that where the council could see an alternative option to address the issues in a particular area, such as a town centre plan that may receive external funding, that it sought to use those options as opposed to selective licencing.

In a supplement question, Councillor McKiernan asked if areas could be added to the scheme at a later date, if those alternative options failed? It was clarified that areas could be added as since December 2024, councils no longer needed Secretary of State approval to exceed 20% private rented sector (PRS) coverage.

Councillor Allen enquired if areas could be removed from the designation mid-scheme if conditions improved? The Assistant Director, Community Safety and Street Scene confirmed that early withdrawal was allowed if were met.

Following on, Councillor Tinsley asked if areas like Little London could be excluded if landlords voluntarily improved standards? It was clarified that schemes could be reviewed and adjusted. The Council prioritised areas with worst conditions but remained open to future declarations. In a follow-up question it was asked if criteria were still based on deprivation or tailored per area. In response it was clarified that it was tailored per area.

Councillor Brent sought clarification on what the “possibility of displacement” meant in practical terms? The Assistant Director, Community Safety and Street Scene noted this referred to landlords moving to properties outside designated areas to avoid compliance. The Council monitored this and could declare new areas if needed.

Councillor Yasseen queried if the evidence base was relying on proxies (e.g., cannabis farms, migration) rather than statutory criteria? The

answer was no it was not, the Housing Act allowed flexibility in the evidence used. Previous hazard data supported the declarations in those areas because the evidential threshold had been met.

In a supplementary question it was asked how would the council address disproportionate impacts on ethnic minorities? The Assistant Director, Community Safety and Street Scene reiterated the Council's commitment to thoroughly assessing the quality and diversity implications in relation to the decisions. National evidence did not support the rent increase concerns. The scheme aimed to improve housing conditions, benefiting any affected communities.

Councillor Baggaley asked if the Assistant Director could explain what had happened previously in the scheme about the annual review and what the annual review looked like going forward? The previous schemes had focused on property conditions and inspections to drive up those conditions. Data had focused on how many hazards had been identified and resolved. Future reviews would be shaped by stakeholder input and the broader objectives.

In response to a follow-up question it was noted that the annual reviews could be brought back for consideration by scrutiny if requested.

When considering the inspections, Councillor Tinsley queried if the relevant staff were in place to ensure these would be delivered? The Assistant Director, Community Safety and Street Scene explained that staffing levels had been maintained post-COVID, and the budget and resources had been carefully planned to meet the needs of the scheme.

Councillor Tinsley followed up by noting that the funds raised from fees could not be used to fund other services, however it was queried if they could be used to fund services such as fly-tipping removal which would help to address some of the hazards in areas. The Assistant Director, Community Safety and Street Scene clarified that fees were restricted to administration and enforcement only. However, area plans reflected broader issues and interdepartmental collaboration to address issues.

Councillor Allen asked how the local PRS database was maintained? In terms of administration the Council had a fit for purpose IT system in place that recorded and contained all the information about the various different properties and licences that were attached to those. This included proactive identification of unregistered landlords, with non-compliant landlords facing higher fees.

The effectiveness of the stakeholder groups was considered by Councillor Allen, querying if there would be a mechanism for co-ordinating the groups to capture the learning from them to enable the existing designations to be amended, along with the creation of new designations, if needed. The Assistant Director, Community Safety and Street Scene noted there would be borough-wide engagement undertaken and regular

officer meetings would ensure there was shared learning and improvements.

Councillor Harper sought clarification on what happened if one scheme ended before another was put in place? The Assistant Director, Community Safety and Street Scene explained that the Housing Act specified each scheme could only last for a maximum of five years and should be judged on its own merit. It should be objective and evidence-based. The timeframe enabled authorities to review the data and what the challenges were across the borough. The staff involved in the scheme were permanent members of staff. Nationally there was a skills shortage in this area of work so the Council would want to retain those skills and knowledge.

Councillor Yasseen asked what the council would do differently to build trust with landlords and tenants? The Assistant Director acknowledged past challenges. The new stakeholder groups and broader engagement aimed to rebuild trust. It was noted that the previous schemes had improved safety in thousands of homes.

Councillor Yasseen indicated that the report referred to the housing condition survey, had the Cabinet Member commissioned that report. The Cabinet Member for Housing explained that when it referred to stock condition surveys, it was primarily talking about council-owned properties. The aim was to ensure safe and decent living conditions for everyone in Rotherham. This was not about singling out private sector landlords, the same standards across the board would be applied.

The Council had completed surveys on over 2,000 council homes, following the same guidelines it would have used for private rented properties. As a landlord, the Council took its responsibilities just as seriously as the many good landlords out there. This was about setting a consistent standard for housing quality, regardless of ownership. Councillor McKiernan, as Chair of the Improving Places Select Commission explained that the Commission would be looking into the stock survey once available.

The Cabinet Member for Housing explained that the stock conditions referred to were for the properties the council rented out. Housing associations had their own rules regarding stock condition surveys, and the council did not typically have access to those as they were responsible for conducting their own surveys. However, although the council were not required to see them, they were often shared.

The focus was on aligning the two types of stock condition surveys: those the council conducted on its own properties and those it aimed to carry out with private rented landlords. The goal was to ensure that everyone was working to the same standard of providing safe homes for our residents.

On this matter, Councillor Thorp asked if all properties would be inspected or re-inspected? The Assistant Director, Community Safety and Street Scene clarified that all properties would be inspected, and re-inspections would occur where hazards were found. Councillor Thorp went on to ask what percentage of inspected properties had led to prosecutions? The data presented in the paper showed that just over 65% of the properties inspected had a hazard identified during the first inspection. In some cases, further hazards were found during follow-up inspections of the same property. As reflected in the outturn report, 48 cases were progressed for prosecution.

Each time a hazard was identified, a formal legal notice was served, requiring the landlord to take action. Failure to comply created an offence that the council was able to prosecute. Over 1,300 of those were housing notices, more than 1,200 were environmental notices, and 311 were emergency prohibition notices, which meant the council immediately deemed the property unfit for human habitation, with the prohibition taking effect straight away.

As mentioned, 48 prosecution cases were prepared. Of those, 15 went through the court system and resulted in successful prosecutions for the council. Another 23 remained ongoing, while 10 were withdrawn because the landlords complied before the court hearings took place. Hopefully, this reinforced and demonstrated the council's strong commitment to tackling poor practice in this area.

In summary the Assistant Director, Community Safety and Street Scene felt that it had been a really robust conversation, and as always, they welcomed the engagement of members on this topic. The intention was to build on that engagement as the council moved forward with setting up the stakeholder groups, should the recommendation to Cabinet be approved in due course.

The Assistant Director revisited points made at the outset: Cabinet was asked to make an objective decision based on the evidence presented to them. The reason the recommendation in the report was supported was because he believed there was compelling evidence that these areas were experiencing a range of issues linked to high concentrations of private rented sector properties.

The previous schemes had demonstrated the real impact this could have on families living in substandard housing. The council had remained fully committed to taking appropriate and robust enforcement action to address any non-compliance, should a future scheme have been declared.

The Assistant Director was confident that the authority would continue to work collectively across its departments, with its partners, and with local members and other stakeholders to ensure the success of any future scheme, should it have been designated.

Resolved: That the Overview and Scrutiny Management Board supported

the recommendations that Cabinet:

1. Review all options proposed in section 3 of the report and approve Option 3, which is to proceed to approve Selective Licensing declarations, including the establishment of a stakeholder steering group (based on the criteria set out within the report and appendices).
2. Approve the revised Licence Fee and the Licence Conditions, in all of the proposed areas which are:
 - a. Town centre / Eastwood / East Dene / Clifton / Boston Castle
 - b. Masbrough / Kimberworth
 - c. Thurcroft
 - d. Dinnington
 - e. Brinsworth
 - f. Parkgate

An additional recommendation to Cabinet was put forward as follows:

3. That the annual review of the selective licensing planned designations is brought back to the relevant scrutiny committee to review the progress being made on the overall selective licensing scheme and to review any amendments to the scheme in twelve months' time.

47. AUTHORISATION OF NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS (NSIP) - WHITESTONE SOLAR FARM

The Chair began by clarifying that the item was for information only. The Whitestone proposal was a Nationally Significant Infrastructure Project (NSIP), which meant the decision would be made by the Secretary of State, not the Council. It was clarified that Rotherham Council had no power to approve or reject the application. The Council's role was to provide factual information to the Planning Inspectorate, including a Local Impact Report. The Council could not make a recommendation either way.

The Chair went on to explain that if Members or members of the public wished to raise objections or concerns at this stage of the process, they must be submitted directly to the applicant and in the event a development consent order (DCO) was accepted, thereafter to the Planning Inspectorate. Local MPs, parish councils, and community groups could also make representations.

The Chair clarified that this was to give members and residents an understanding the process and the Council's limited role within it.

The Chair then invited Councillor John Williams, Cabinet Member for Transport, Jobs and the Local Economy to introduce the report. In terms of outline and background, NSIP proposals were those planning applications or projects that the government deemed of such national

significance and importance that the responsibility for granting planning permission rested with the government, through the Planning Inspectorate. The Council was not a decision-maker on those proposals.

Rotherham was facing its first NSIP: the proposed Whitestone solar farm, which also extended into Doncaster. This had prompted a review of the constitution, where it identified a gap in how the Council handled its statutory consultee role in the NSIP processes. The cabinet report aimed to establish internal procedures for responding to NSIP applications.

The Cabinet report proposed delegating the preparation and submission of responses to the Strategic Director for Regeneration and Environment, in consultation with the Head of Planning and Building Control and the Cabinet Member for Transport, Jobs, and the Local Economy.

This approach addressed two key issues:

1. Tight timescales – typically 28 days to respond, which made routing through Cabinet or Planning Board impractical.
2. Technical nature – responses were technical, not decisions requiring a vote.

While Whitestone was the immediate context, the report itself made no judgment on its merits. It focused on ensuring the Council had a clear process for handling any future NSIP proposals.

Simon Moss, Assistant Director, Planning, Regeneration and Transport stated that NSIP projects were of such national importance and scale that decisions were made by the Secretary of State, not the Council, and were handled through the Planning Inspectorate via a DCO.

It was noted that the process could take up to two years, which was much longer than typical planning applications and involved several stages, as outlined in the report. NSIPs frontloaded the planning process, placing greater emphasis on shaping the proposals before formal examination.

Assistant Director, Planning, Regeneration and Transport clarified that as the host authority, Rotherham Metropolitan Borough Council (RMBC) was a statutory consultee and was consulted at every stage. It was explained that the process meant multiple documents required responses within short timeframes, the most significant being the Local Impact Report. This report outlined the likely local effects of the application, both positive and negative, without making judgments, which was the role of the Planning Inspectorate. Due to the tight deadlines (often 28 days), it was not feasible to seek formal approval through Cabinet or Planning Board as would normally be done. That was why the delegations were proposed, to ensure timely responses could be provided.

The Cabinet Member for Transport, Jobs and the Local Economy noted that the report also recommended providing quarterly updates to the Planning Board. This was in recognition of the significant public interest in NSIP applications, particularly following the Whitestone proposal. These

updates aimed to keep the process transparent by sharing what had been submitted and the current status of any NSIP applications. It was also a way to build in public engagement by ensuring information was regularly brought into the public domain.

The Chair invited members of the Overview and Scrutiny Management Board (OSMB) to raise questions and queries on the points raised.

The Vice Chair raised an issue around communication. People often focused more on headlines than the detail, and the agenda item titled *“Authorisation – Whitestone Solar Farm”* may have caused confusion. It was felt that it was a mistake and indicated that alternative wording like “delegation” or removing “Whitestone” altogether may have been clearer.

Councillor Bacon followed on by asking: why now? The report stated that delegation schemes should be established as early as possible for NSIP applications. Whitestone was already in its second statutory consultation phase, meaning it had already passed the first. The Vice Chair questioned whether this could have been done earlier, asking if it was simply triggered by the statutory phase, or was there an earlier opportunity to implement the delegation scheme?

The Cabinet Member for Transport, Jobs and the Local Economy acknowledged that the title could have been clearer. The use of *“Authorisation – Whitestone Solar Farm”* might have implied the Council was making a decision on the proposal, which was not the case. A term like “delegation” or removing “Whitestone” altogether might have been more appropriate.

On the second point, it was noted that earlier consultations had been led by the developer. The current phase was the statutory consultation, which had triggered the need to formalise the Council’s internal delegation process. The report referenced government guidance encouraging local authorities to establish such processes as early as possible and it was felt the timing was appropriate.

Nigel Hancock, Head of Planning and Building Control echoed Cabinet Member for Transport, Jobs and the Local Economy’s point, the first stage of consultation had been non-statutory and led entirely by the developer. While encouraged, it was not required, so there had not been a pressing need to establish formal governance at that stage, especially since the application hadn’t yet been submitted.

The process had reached the statutory consultation phase, which was the point at which government guidance recommended reviewing governance arrangements and ensuring appropriate delegated authority was in place. As this was the Council’s first NSIP project, it took time to review how other local authorities had approached similar situations. That preparatory work, combined with the lead-in time for cabinet reports, meant this was the earliest practical opportunity to bring the matter forward.

Councillor Thorp understood that Whitestone was being handled nationally and was largely outside the Council's control, aside from the setup. However, it was noticed that other solar farms appeared to be attaching themselves to the Whitestone proposal, effectively expanding its scale. It was asked, when those additional proposals eventually came before the Planning Board, if the Whitestone development could be taken into account, given that they were clearly linked and contributing to a larger overall scheme.

The Head of Planning and Building Control explained they had taken legal advice on this matter. When Whitestone had prepared its environmental statement, it had considered other consented and proposed solar developments within the borough. As noted, there were smaller, non-NSIP planning applications that also needed to be considered.

The Council had wanted to ensure that Whitestone's environmental statement properly addressed cumulative impacts by factoring in other existing or consented solar developments. The legal advice was clear: cumulative impact assessments could only include developments that were either existing or already consented. Since Whitestone was neither, it could not be considered in cumulative impact assessments for smaller adjacent applications. However, if Whitestone were to be consented and other solar developments approved, then Whitestone would need to account for those in its own environmental statement, and the Planning Inspector would need to consider the cumulative impacts at that stage.

Councillor Thorp had followed up by referencing attendance at a Planning Inspectorate session, where two parties were proposing similar projects simultaneously. While the inspector was required to assess each proposal individually, local residents experienced the combined impact, placing the Council in a difficult position.

It was acknowledged that this created a dilemma: either the Council ignored public concerns or strictly followed the process, which stated that Whitestone did not yet exist. That particular aspect had raised the greatest concern.

Councillor Baggaley raised concerns the wards affected and whether all relevant wards had been properly covered in the report. The second question focused on the nature of the delegation, what it specifically involved and how input from others could be incorporated. It was emphasised that elected members had valuable insight into what was happening within their wards and the impact on local communities. The question was how members could contribute evidence from their areas to inform the Council's submissions during the NSIP process.

The Head of Planning and Building Control indicated they had double-checked the affected wards and believed they were covered. The Local Impact Report, as referenced by the Cabinet Member, was intended to address all relevant planning matters within the environmental statement.

They welcomed supporting information to strengthen the assessment but noted that anyone could submit representations directly to the Planning Inspectorate. While the Council considered all input, only evidence that could be verified and grounded would be included in the report. The Head of Planning and Building Control encouraged individuals or groups to submit their opinions directly to the Planning Inspectorate, as they were the decision-makers, not the Council, to ensure all views were heard.

Councillor Blackham had sought to clarify the situation. Whitestone had entered its third consultation phase, running from 16 September to 28 October 2025, during which time, individuals had the opportunity to submit objections if they wished. Councillor Blackham expressed uncertainty about when the Council's submission to the Planning Inspectorate was scheduled, noting that Whitestone had its own timetable listed on their website. The concern was that the Council needed to clearly state its position and submit its views promptly.

The Head of Planning and Building Control clarified that the DCO had not yet been submitted to the Planning Inspectorate, as Whitestone was still in the statutory consultation phase. The Council had specific deadlines to respond to documents issued during this stage.

The Local Impact Report was scheduled for submission during the pre-examination stage, which would only begin once the Planning Inspectorate accepted the application. That stage was expected in spring 2026 and would last around five to six weeks, during which the Council could submit its report.

However, comments on the draft Environmental Statement were due by 28 October 2025, as Whitestone needed to include them in its application. Before accepting the application, the Planning Inspectorate would also ask the Council to confirm whether Whitestone's consultation had been adequate. Overall, the Council was still around six months away from entering the pre-examination stage.

Councillor Blackham asked for clarification, suggesting that if individuals submitted objections to the consultation process before 28 October, it might help inform the Planning Inspector's decision. In response the Head of Planning and Building Control noted that objections to the consultation process had to focus on whether adequate consultation had been carried out, not on the principle of the development itself. The Council's role was to assess whether Whitestone met the consultation standards expected by the Planning Inspectorate.

Next Councillor Yasseen acknowledged finding the report difficult to understand, though clarified that this was not a criticism. The complexity surrounding Whitestone and other planning matters was recognised.

Councillor Yasseen's focus had been on options one and two in the report, with concerns about accountability and transparency depending on

which option the Council chose. It was questioned how residents in affected areas might perceive delegated powers and whether this would weaken the connection between elected members and their communities.

It was also noted that the report's risk mitigation section addressed government guidance but did not reflect local implications and queried the consequences of taking no action.

The Chair said had been clarified that objections needed to be submitted to the Planning Inspectorate because Whitestone was a national application, not a local one. This explained why both the Council and objectors had to direct their responses to that body.

The Cabinet Member for Transport, Jobs and the Local Economy explained that under the "do nothing" option, submissions would have gone through Cabinet, but timing conflicts made that impractical. Delegation was supported to avoid confusion, as the submissions were technical, not decisions requiring votes. Cabinet involvement could have misled residents and blurred responsibilities. For those reasons, the recommendation to delegate authority to the Strategic Director, in consultation with the Head of Service and Cabinet Member, was endorsed.

The Head of Planning and Building Control clarified that, as the Council was not the decision-maker, local objections had to be submitted directly to the Planning Inspectorate. Residents were encouraged to register as interested parties to ensure their views were heard. The Council, acting as a statutory consultee, included verified impacts both positive and negative in its Local Impact Report, while personal opinions were best submitted independently.

The Monitoring Officer added that ward members could also support the representation role. While technical matters were handled by officers, representations were best made through the channels outlined by the Head of Planning and Building Control. Members had the opportunity to contribute through the national process as well.

Councillor Yasseen appreciated the response but found the report confusing, particularly around timeframes. Both options in the report referenced short timescales, yet it was stated that the Planning Inspectorate did not set a specific deadline for submitting the Local Impact Report. This raised questions about where the time pressure was coming from, and which part of the report should be prioritised.

The Cabinet Member for Transport, Jobs and the Local Economy acknowledged the complexity of the subject and noted that the Local Impact Report timeline was uncertain, as the application had not yet been submitted. It was felt that it was likely that Cabinet or Planning Board schedules would conflict with NSIP deadlines, making delegation the more practical option. It was also emphasised that the submissions were

technical, not decisions requiring votes, and invited officers to provide further clarity on the timing.

Andrew Bramidge, the Strategic Director for Regeneration and Environment explained that the application process was expected to take around two years, though the exact stages and timings were still unknown. Once the Planning Inspectorate requested the technical submissions, the Council would typically have 28 days to respond. That was the key time pressure being referred to.

Councillor McKiernan wanted to double-check the post-decision part of it asking if that meant the Council was delegating authority to the Strategic Director after the inspector had said yes, go ahead? The Head of Planning and Building Control explained the Cabinet report was prepared ahead of the decision to ensure the Council could respond quickly to the Planning Inspector. If the DCO was accepted and permission granted, similar to a planning application, there could have been conditions to meet during construction or after development.

As the planning enforcement authority, the Council would have had the power to take enforcement action if those conditions, set by the Planning Inspector, not the local authority, were breached. The Planning Inspector did not monitor the development once the DCO was approved.

Councillor McKiernan acknowledged that after the decision was made, the Council resumed its usual planning enforcement role. Concern was raised in relation to section 1.7 on post-decision matters, specifically responding to material change notifications. For example, if the Inspector approved the DCO and a change like widening a bridge later emerged, which wasn't part of the original decision, was the report delegating authority to the Strategic Director to approve such changes? This led on to a query about whether the Council were effectively delegating planning permission for potentially significant developments. The Head of Planning and Building Control noted the Council already had a scheme of delegation in place that did not cover this. However, post-decision material and non-material changes would have fallen under the standard delegation process. If changes arose after the decision, particularly material ones the Council would have needed to notify local residents. If significant objections were received, the matter would have followed the usual process through Planning Board.

Councillor Blackham was reading from the Whitestone 3 document, which outlined the next steps. It stated that after consultations ended on 28 October, the final masterplan and environmental statement would be submitted as part of the DCO application, along with the consultation report. Councillor Blackham said that suggested they planned to proceed with the DCO immediately after 28 October. At that point, the timing appeared to be in their hands, as they were responsible for submitting the application, raising a concern about the Council's position if they submitted the DCO straight away.

In response the Head of Planning and Building Control indicated that the Council could not control when they submitted the DCO but in terms of the statutory consultation which they're currently going through and that finishing on the 28th of October, they had a duty to consider what responses they had got to that statutory consultation plus the responses to the environmental statement that the Council made before they made an application under the DCO. If they submitted it without taking that into consideration, the Council would clearly make an objection about the pre - consultation stage. It is likely that the application would not be accepted until they had shown due process that they properly considered any representations they'd made to that statutory consultation process.

Councillor Adair wanted to raise a concern. On 13 October, following pressure from Sarah Champion, a consultation was secured with Whitestone. The area was set to be heavily impacted by solar panel installations, and it was felt unacceptable that they had been ignored, despite being a key part of their plans. During those discussions, it was clear they had already made their decisions and done the calculations. They did not feel their input was genuinely considered, which was felt was not an appropriate approach.

Resolved: That the Overview and Scrutiny Management Board supported the recommendations that Cabinet:

1. Delegate authority to the Strategic Director of Regeneration and Environment in consultation with the Head of Planning and Building Control and Cabinet member for Transport, Jobs and the Local Economy to submit to the Planning Inspectorate all documentation and relevant evidence for their consideration and deal with all procedural matters that may arise in relation to this application and any future applications that fall under the legislation for Nationally Significant Infrastructure Projects.
2. Agree to the proposal that a report be submitted to the Planning Board on a quarterly basis to provide a summary of all responses submitted from the Council to the Planning Inspectorate in respect of Nationally Significant Infrastructure Projects in the previous quarter.

An additional recommendation to Cabinet was put forward as follows:

3. Agrees that a Frequently Asked Questions (FAQ) document be developed to provide clear and accessible guidance on the process for making representations to support elected members and residents.

48. WORK PROGRAMME

The Board considered its Work Programme with the Governance Manager explained the information requested for the spotlight review on life-saving equipment was in the process of being collated, and it was expected it to be available shortly. Once received a meeting would be

arranged with the review group to continue the work.

Regarding the grass cutting and grounds maintenance workshop that was held. A letter had been produced and sent to the Cabinet Member for Street Scene and Green Spaces. It summarised the key points and outcomes of the workshop, which were that members acknowledged the information provided, particularly the update on cleansing services. They felt reassured that previous concerns were being addressed, and consequently, they agreed that there was no need for an in-depth review of grass cutting and grounds maintenance. It was resolved that OSMB members would receive an off-agenda update in 12 months to assess ongoing progress. A copy of that letter would be circulated to members following the meeting for their information.

Resolved: That the Work Programme be approved and that the letter to the Cabinet Member for Street Scene and Green Spaces would be circulated to members of OSMB for their information.

49. WORK IN PROGRESS - SELECT COMMISSIONS

Improving Places Select Commission Update:

The school road safety review had another meeting scheduled for that Friday to agree on the plan going forward.

Health Select Commission Update:

The commission scrutinised the following items during its 31 July 2025 meeting:

- The ADASS (Association of Directors of Adult Social Services) Peer Review
- The Healthwatch Annual Report
- The Yorkshire Cancer Research White Rose Report Update.

The Menopause Workshop took place on 16 September 2025 and was a well-attended and meaningful session, feedback from which was being prepared and would be brought to OSMB in due course.

Further evidence gathering sessions for the Access to Contraception Review took place on September 12th and 23rd, and finally October 8th, 2025. Draft recommendations have been developed, and the draft report was currently being prepared and would be shared with Health Select Commission and OSMB in due course.

The commission scrutinised the following items during its 2 October 2025 meeting:

- Physical Activity for Health (Sport England)
- TRFT Annual Report

- How Did We Do - Adult Social Care Local Account (For Information Only)
- Rotherham Health and Wellbeing Strategy 2025-2030 (For Information Only)

At its meeting on 20 November 2025, the Commission was scheduled to scrutinise the following items:

- Mental Health Strategy (Pre-decision Scrutiny)
- Place Partners Winter Planning
- Health and Wellbeing Board Annual Report (For Information Only)

Also, in conjunction with the Improving Lives Select Commission, an Unpaid Carer's Strategy Workshop had been planned for 28 November 2025.

Councillor McKiernan sought clarification on the position of Healthwatch and if it had been considered? The Chair of Health Select Commission responded that the Commission had discussed the role of the council in what was expected to happen going forward. It was confirmed that Healthwatch was going to be phased out.

Improving Lives Select Commission:

Since the last Improving Lives update to OSMB in September, the Commission had received and scrutinised an Annual Update on Child Adolescent Mental Health Services (CAMHS). Members of Health Select Commission (HSC) were invited to join the meeting for that item. One additional HSC member attended the meeting.

Overall, the Commission were happy with the CAMHS Update, and resolved the following:

- That a further update on Children and Young People's mental health and wellbeing be included on the ILSC work programme for 2026-2027.
- Requested that information relating to the following be included in future CAMHS updates to the Commission:
 - Additional data and information relating to performance and outcomes.
 - Further information relating to children in care.
 - Further information of the support available to children who are electively home educated.
- Requested that specific data relating to the eating disorder pathway and the most recent timescales and waiting times be provided to the Commission.
- Requested that further information and specific numbers relating to the Children and Young People's Crisis pathway and the 99% of cases seen within expectation be provided to the Commission.

At its meeting in November, the Commission was to scrutinise the following:

- An update on the Looked After Children's Sufficiency Strategy 2023-2028.

The Chair of Health Select Commission asked whether there had been any scope for CAMHS to return to Health Select, noting that the mental health strategy was an important part of their work. The Governance Manager responded that, at that time, there was no scope for CAMHS to return to Health Select, as the terms of reference had been drafted in such a way that CAMHS fell within the remit of a different select commission. However, this did not preclude members of Health Select from joining that particular session and being involved in the discussion.

50. FORWARD PLAN OF KEY DECISIONS

The Board considered the Forward Plan of Key Decisions October 2025 to December 2025.

The Chair introduced the item and invited the Governance Manager to walk members through the forward plan for October 2025 to December 2025. The purpose was to identify which key decisions should be scheduled for pre-decision scrutiny at the next OSMB meeting on 12 November 2025.

Resolved: That the Overview and Scrutiny Management Board:

1. Agreed that the following items would be added to the November agenda as part of OSMB's pre-decision scrutiny work:
 - Rotherham Employment & Skills Strategy - Pre-decision scrutiny.
 - Medium Term Financial Strategy Update - Pre-decision scrutiny.

51. SOUTH YORKSHIRE MAYORAL COMBINED AUTHORITY OVERVIEW AND SCRUTINY COMMITTEE

The Chair updated that Board that at the previous month's meeting, the main topic of discussion was consideration of the Skills Strategy.

52. CALL-IN ISSUES

There were no call-in issues.

53. URGENT BUSINESS

There were no urgent items.