

REGENERATION AND ASSET BOARD

Venue: Town Hall, Moorgate
Street, Rotherham.

Date: Wednesday, 13 June 2007

Time: 10.00 a.m.

A G E N D A

1. Appointment of Chairman
2. Appointment of Vice-Chairman
3. To determine if the following matters are to be considered under the categories suggested, in accordance with the Local Government Act 1972.
4. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
5. Minutes of the previous meeting held on 17th May, 2007 (Pages 1 - 6)
6. Matters arising

The following item was authorised by the Chairman for consideration as an extra, urgent item in order for the Council to comply with the legislation,
7. Smoke Free Legislation - request for funding from the Minor Strategic Capital Investment Block (report attached) (Pages 7 - 9)
8. EXCLUSION OF THE PRESS AND PUBLIC

The following items are likely to be considered in the absence of the press and public as being exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs of any particular individual (including the Council)):-
9. Auction Results and Commercial Property Update (Pages 10 - 13)
Principal Valuer to report.
 - to report the sale, by auction, of two surplus assets and to provide an update on the disposal of commercial property.
10. Land and Property: Capital Receipts update (Pages 14 - 18)
Strategic Property Manager to report.
 - update report highlighting changes to the forecast of capital receipts resulting in a revision of the Council's capital programme.

11. Application to Register Land at Thorpe Hesley as a Town or Village Green (Pages 19 - 32)
Estates Surveyor to report.
 - to report an update on the current position regarding the objection made by the Council, as landowner, against the application received from the Scholes and Thorpe Action Group (STAG) under section 13 of the Commons Registration Act 1965, in respect of Council owned land in Thorpe Hesley.

For information:-

12. Date, time and venue of next meeting:
WEDNESDAY, 11TH JULY, 2007 at 10 a.m. at the Town Hall, Rotherham.

REGENERATION AND ASSET BOARD
Thursday, 17th May, 2007

Present:- Councillor Smith (in the Chair); Councillors Kirk, Wardle and Wyatt.: together with Councillor Akhtar

Apologies for absence were received from Councillors Ellis, Hussain, R. S. Russell, St. John and S. Wright.

173. MINUTES OF THE PREVIOUS MEETING OF THE REGENERATION AND ASSET BOARD HELD ON 18TH APRIL, 2007.

Consideration was given to the minutes of the previous meeting of the Regeneration and Asset Board held on 18th April, 2007.

Resolved:- That the minutes be approved as a correct record.

174. MATTERS ARISING

There were no matters arising from the previous minutes.




175. GATEWAY IMPROVEMENT PLAN

Consideration was given to a report, presented by the Project Officer, Development Team, relating to a review of the Gateway Improvement Plan 2006/2007 and an Annual Plan for 2007/2008.





A PowerPoint presentation was also given which highlighted the following:-

Total expenditure and funding of projects in 2006/2007, principally via the HMRA Pathfinder Programme.

A6109 Meadowbank Road phased improvements:-

-  from M1 Junction 34N funded by HMRA Pathfinder Programme
-  South Street to No. 286 Meadowbank Road
-  Reserve Scheme – M1 Jct 34N to 286 Meadowbank Road with potential funding from South Yorkshire Forest Partnership

Rotherham East HMR:-

-  Doncaster Road, Dalton
-  2007/2008 extension of the works to East Dene via Herringthorpe Valley Road to Clifton Park
-  Fitzwilliam Road QBC
-  2007/2008 works in the area of the frontages at Eastwood Trading Estate

Rawmarsh/Parkgate HMRA:-

-  Phased work: phases 1 and 4 completed.

- ✚ 2007/2008 extension of work in the commercial centre; at Rosehill Park; the Church and War Memorial – in conjunction with Groundwork Dearne Valley using potential funding from Objective 1

Swinton/Wath HMRA:-

- ✚ Completion of phase 1 – east
- ✚ 2007/2008 work in the areas of Rockery Road Peace Garden; Rowms Lane; Bridge Street car park with complementary funding

Brampton HMRA:-

- ✚ Works on Knollbeck Lane and WAtH Road in consultation with the community

The Appendix set out in detail the funding for the Gateways in 2005/2006 and 2006/2007.

Members commented on:-

- ✚ the value of the improvements made and the overall appearance of the major approaches to the town.
- ✚ Use of energy efficient and sustainable street lighting
- ✚ Streetpride maintenance budget
- ✚ Use of Pathfinder and other funding sources
- ✚ Value of the work in terms of attracting investment

Resolved:- (1) That the officers be congratulated on the progress made.

(2) That the Gateway Review/Annual Plan be received.

(3) That approval be given to the Annual Plan for 2007/2008 as detailed in the report submitted, subject to funding and further appropriate consultation.

(4) That the Plan be subject to an annual review and subsequent report to the Board, which will also contributed to future Annual Plans.

176. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs of any particular person (including the Council))

177. LAND TO THE REAR OF 21 SPENCER DRIVE, RAVENFIELD

Consideration was given to a report, presented by the Strategic Property

Manager, seeking approval for the transfer of land to the rear of 21 Spencer Street, Ravenfield, from Ravenfield Parish Council to the Borough Council.

A plan identifying the area of land in question was appended to the report.

An explanation of the title history to current use and management of this land was detailed in the report, together with the legal and financial implications.

It was pointed out that the site would be retained as part of the garden of No. 21 Spencer Drive.

Resolved:- (1) That approval be given to the transfer of land from Ravenfield Parish Council to Rotherham Metropolitan Borough Council.

(2) That the Assistant Chief Executive, Legal & Democratic Services, completes the necessary documentation.

178. CAPITAL RECEIPTS UPDATE

Consideration was given to a report, presented by the Strategic Property Manager, highlighting changes to the forecast of capital receipts accruing to the Council resulting in a revision to the Council's capital programme.

The report also set out the year end 2006/2007 position of the property bank.

Reference was made to the value of capital receipts obtained in 2006/2007 set against the target.

The Board noted the following:-

- ✚ Receipt earmarked for modernisation of Howarth House
- ✚ Long standing sales – Daneshill, Moorgate and Flash Lane, Bramley
- ✚ Change in planning policy resulting in many sales being taken out of the 2006/2007 programme and deferred to later years.
- ✚ Return to Neighbourhoods from the Property Bank of 2 sites at Thrybergh to support Neighbourhood regeneration initiatives
- ✚ abandoned asset sales
- ✚ sites sold at less than best consideration to Registered Social Landlords
- ✚ sites put forward as part of the Local Development Framework review

The Board was reminded that, although work continued to identify further sites, the supply of suitable property assets for disposal continued to diminish. Thus it would become increasingly difficult to achieve targets in future years.

Reference was made to:-

- land at Brook Hill, Thorpe Hesley, and an application for village green status.
- Sites in Dinnington and commencement of discussions with the Parish Council

Resolved:- (1) That the current status of the capital receipts, which supports the capital programme, be noted.

(2) That the Director of Asset Management submit a report to the June 2007 meeting regarding the position, and costs to date, of the application for village green status.

(3) That the Strategic Property Manager submit a report to a future meeting of the Board outlining a possible timescale for the disposal of sites in Dinnington which are programmed for sale in 2007/2008.

179. HOLLYTREE AVENUE, MALTBY

Consideration was given to a report, introduced by the Strategic Property Manager, relating to the options for the disposal of the above mentioned site.

The site was identified on a plan appended to the report.

It was noted that the property had been declared surplus to requirements by the Director of Learning Disability Services.

Reference was made to the established use of this property as residential.

Two options for the future use of the site were detailed in the report and considered by the Board.

The Acting Director of Housing Services detailed the benefits of the option to sell the land to a Registered Social Landlord. Reference was also made to the need for affordable housing in this area. It was suggested that this option would enable the property to be offered for sale by the RSL on a shared ownership (50:50) basis.

Resolved:- (1) That the property be offered for sale to a Registered Social Landlord on the basis now reported.

(2) That the Director of Rotherham Investment and Development Office negotiates the terms of the disposal.

(3) That the Assistant Chief Executive, Legal and Democratic Services, completes the necessary documentation.

180. CAPITAL AND ASSET MANAGEMENT STRATEGIES PLANS AND PROGRAMMES 2007 - 2012 MAINTENANCE CAPITAL INVESTMENT BLOCK

Consideration was given to a report, presented by the Facilities Manager, Environment and Development Services, which outlined a programme for the maintenance capital investment block of the Capital Programme 2007 to 2012.

Reference was made to the capital receipts target, and allocation for maintenance projects, strategic projects and a contingency fund which had been agreed by the Cabinet.

Appendix 1 to the report listed all the maintenance projects which had been identified. Reference was made to the validation process which was carried out

The Board considered Appendix 2 to the report which set out the recommended programme for 2007/2008.

Resolved:- That approval be given to the programme for the maintenance capital investment block of the Capital Programme for 2007/08 as scheduled in Appendix 2 to the report now submitted.

181. CAPITAL AND ASSET MANAGEMENT STRATEGIES, PLANS AND PROGRAMMES 2007 -2012 STRATEGIC CAPITAL INVESTMENT BLOCK

Consideration was given to a report, presented by the Facilities Manager, Environment and Development Services, which outlined a programme for the projects under £300,000 in the strategic capital investment block of the Capital programme for 2007 to 2012.

Attention was given to:-

- Appendix 1 which set out all the projects under £300,000 currently identified.
- Appendix 2 which listed projects by Service Area.
- Appendix 3 which contained all the submissions and priority rating forms for each of the projects.

It was noted that the total for 2007/2008 of all the projects listed was under the allocated £1.5m.

Members of the Board commented on:-

- Alterations and improvements to Bailey House to meet service area requirements (the Strategic Director gave an explanation)
- Fit out critical to the Maltby Joint Service Centre project

Resolved:- (1) That approval be given to the priority projects under £300,000, scheduled in Appendix 1 to the report now submitted, for inclusion in the strategic capital investment block of the Capital Programme 2007 to 2012.

(2) That the Director of Asset Management submit a report to a future meeting regarding the need for funding for the fit out of the Maltby Joint Service Centre Project.

182. MINUTES OF A MEETING OF THE TOWN CENTRE DEVELOPMENT PROJECT BOARD HELD ON 25TH APRIL, 2007

Consideration was given to the minutes of meeting of the Project Board held on 25th April, 2007.

Resolved:- That the minutes of the meeting of the Project Board held on 25th April, 2007 be received.

183. DATE, TIME AND VENUE OF NEXT MEETING

WEDNESDAY, 13TH JUNE, 2007 at 10.00 a.m. at the Town Hall, Moorgate Street, Rotherham.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Regeneration and Asset Board
2.	Date:	13th June 2007
3.	Title:	Capital and Asset Management Strategies, Plans and Programmes 2007 – 2012 Minor Strategic Capital Investment Block All Wards
4.	Programme Area:	Environment and Development Services

5. Summary

This report outlines the issues around the Smoke free legislation which comes into effect as from the 1st July 2007.

In order to comply with the legislation the authority has to erect a number of compliant signs to all the council buildings where the legislation applies. This report outlines the background to the legislation and the works required in order for the authority to comply with the legislation.

6. Recommendation

Regeneration and Asset Board approve the sum of £25,000 from the 2007/2008 minor strategic capital investment block to enable the authority to comply with the Smoke free legislation which comes into effect from the 1st July 2007.

7. Proposals and Details

Cabinet have previously agreed that the capital receipts target of £3,500,000 per annum will be allocated to maintenance projects (£1,500,000), minor strategic projects under £300,000 (£1,500,000) and a contingency fund (£500,000)

At the meeting of the Regeneration and Asset Board on the 17th May 2007, the Board approved the allocation of £1,410,555 from the £1,500,000 2007/2008 minor strategic projects allocation.

A report was been submitted to CMT on the 22nd January and the 4th May 2007 outlining the implications of the Smoke free legislation which comes into effect on the 1st July 2007. The Health Act 2006 introduces new offences to protect employees and the public from the harmful effects of second hand smoke.

There are a number of measures which the Council needs to take place to ensure compliance with the law.

These include;

- Ensuring that all entrances to council buildings have no-smoking signs displayed which meet the legislative standards,
- Displaying signs to all common parts of flats ,stair wells etc
- Displaying signs in all council vehicles
- Displaying signs in all vehicles leased or hired by the council
- Ensuring that all existing signs are checked to ensure that they are suitable.

An internal project group was set up which developed an action plan to put in place the appropriate signage and carry out the actions required to comply with the legislation.

The group have estimated that a budget of up to £25,000 may be required in order for the Council to comply with the above signage legislation requirements as outlined above.

Regeneration and Asset Board are requested to approve the allocation of £25,000 to enable the Council to comply with the legislation.

The report to 4th May Corporate Management Team about compliance with Smokefree legislation is attached at appendix 1.

The appropriate minute of the 4th May Corporate Management Team is attached at appendix 2.

8. Finance

An allocation of £1,500,000 is included in the currently agreed capital programme for minor strategic projects in 2007/2008

£1,410,555 has already been allocated from this leaving a balance of £89,445.

This report requests that a £25,000 is allocated form the balance to ensure we can comply with the Smokefree legislation.

9. Risks and Uncertainties

The Council has a duty to comply with the new smokefree regulations. Failure to comply may result in adverse publicity and be seen to show a lack of leadership on public health issues. It may also result in litigation and could adversely affect the CPA rating.

The Health Act 2006 Section 10(3) places a duty on an “enforcement authority” to enforce, as respects the premises, places and vehicles in relation to which it has enforcement functions, the provisions of the Health Act 2006 and regulations made under it. Failure to enforce the provisions of the legislation will have an impact on public health, and have a negative projection to local communities and businesses to deliver against a high profile national drive.

The local authority is required to provide returns to the government on the number of inspections undertaken and the enforcement and intervention actions undertaken. Failure to meet the Government inspection targets will result in publication of the information and could result in the enforcement activity being undertaken by another agency and the local authority being re-charged for provision of the service by this agency.

10. Policy and Performance Agenda Implications

This legislation is a key part of the Governments public health agenda and directly contributes to the “Rotherham Alive” and “Rotherham Safe” themes of the Community Strategy and Corporate Plan as it will:

- reduce the risk to health from exposure to second-hand smoke.
- recognise a person’s right to be protected from harm and enjoy smokefree air.
- increase the benefits of smokefree enclosed places and workplaces for people trying to give up smoking.
- save lives by reducing exposure to second-hand smoke and contributing to a reduction in overall smoking rates.

Delivering compliance with the legislation is a Year Ahead commitment for 2007/08.

11. Background Papers and Consultation

Reports on the Smoke Fee legislation to the Corporate Management Team on the 22nd January 2007 and the 4th May 2007.

The Health Act 2006

Rotherham Tobacco Control Strategy 2006-2007

The smokefree regulations and Lacors guidance

DoH Consultation document on “Consultation on under-age sale of tobacco

LAC (2006) 17 Dept of Health Circular regarding funding to support implementation of smoke-free legislation

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