

## **PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE**

**Venue:** **Town Hall, Moorgate Street, Rotherham.**      **Date:** **Friday, 26 September 2008**  
**Time:** **9.30 a.m.**

### **A G E N D A**

1. Apologies for Absence.
2. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
4. Declarations of Interest.
5. Questions from Members of the Public and the Press.

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

6. Floods June, 2007 Progress Report (herewith) (Pages 1 - 24)
7. Local Government Reform – Strong & Prosperous Communities and the Local Government & Public Involvement in Health Act 2007 Implementation (report herewith) (Pages 25 - 32)
8. Local Government Reform – Communities in Control White Paper and the forthcoming Community Empowerment, Housing & Economic Regeneration Bill (report herewith) (Pages 33 - 42)
9. Improving Local Accountability - Government Consultation (report herewith) (Pages 43 - 51)
10. Policy Review 2008 (report herewith) (Pages 52 - 56)
11. 11 Million Take- Over Day 2008 (report herewith) (Pages 57 - 59)

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

12. Minutes of the previous meeting held on 12th September, 2008 (herewith)  
(Pages 60 - 70)
13. Work in Progress (Chairs of Scrutiny Panels to report)
14. Call-in Issues - to consider any issues referred for call-in.

**ROTHERHAM BOROUGH COUNCIL – REPORT TO PERFORMANCE AND SCRUTINY  
OVERVIEW COMMITTEE**

<b>1.</b>	<b>Meeting:</b>	<b>Report to Performance and Scrutiny Overview Committee</b>
<b>2.</b>	<b>Date:</b>	<b>26 September 2008</b>
<b>3.</b>	<b>Title:</b>	<b>Progress Report - Floods June 2007</b>
<b>4.</b>	<b>Directorate:</b>	Environment and Development Services

**5. Summary**

To provide an update following the June 2007 floods on what progress has been made by the council to further improve resilience against future flooding and information that has been shared with affected communities.

**6. Recommendations**

- 6.1 That the contents of the report be noted.**
- 6.2 That the future financial implications of the council be noted.**
- 6.3 That the Director of Planning and Regeneration presents a report to CMT to examine the potential impact upon planning policy and development within the borough.**

## 7. Proposals and Details

June 2007 saw unprecedented rainfall and was recorded as the wettest month in Yorkshire since 1882. Full details of events and how it affected the Borough have been included in the Post Incident Report issued by the Emergency and Safety Team. This report was issued in October last year. Since this event a number of national, regional and local reviews have taken place. The main National Review has of course been the Sir Michael Pitt review, in which all flooded areas were visited and an interim report was published on 17 December 2007. The interim report contained fifteen urgent recommendations and seventy-two interim conclusions. The report is broken down into four main areas:

- **Flood Risk Management** (climate change - developing understanding of forecasting and building and planning)
- **Critical National Infrastructure/Loss of Essential Services** (protecting our infrastructure - information sharing - single points of failure/complete loss)
- **Emergency Response** (local risk register, business continuity, emergency planning, improved communication links with agencies and dams and reservoirs)
- **Recovery Arrangements.**

An overview of the urgent recommendations are as follows:

Recommendation	Lead Organisation
1 Monitoring of groundwater levels	Environment Agency
2 Identify areas at risk of surface water flooding	Environment Agency
3 Use of temporary defences	Environment Agency
4 Flood rescue	Local Resilience Forum
5 Resilience of Rest Centres	Local Resilience Forum
6 Stockpiles of equipment	Local Resilience Forum
7 Agencies providing scientific advice	Department of Health
8 Identification of vulnerable people	Cabinet Office
9 Creation of a national flood emergency framework	Defra
10 Identification of critical infrastructure at risk	Environment Agency (key deliverer)
11 Role out of "opt-out" flood warning services	Environment Agency
12 "Door knocking" to increase flood warning take up	Environment Agency (key deliverer)
13 Involve local media	Environment Agency
14 Flood kits	Environment Agency (key deliverer)
15 People increase their state of readiness	Environment Agency (key deliverer)

Consultation on this interim report closed on 31 March 2008 with a final report having been published on 25 June 2008 called 'Learning Lessons from the 2007 Floods'.

The Government's response to the final report and its recommendations is due in November 2008 and from this appropriate actions will have to be taken by the responsible organisations. A copy of these recommendations together with the responsible agency is shown at Appendix 1.

For the purposes of this progress report, four main areas have been explored and reviewed; Drainage, Forward Planning, Emergency Planning and Communications and Marketing. Specific information following the floods of June 2007 around these areas are as follows:

## 7.1 **Drainage**

Public meetings were held by the council at Catcliffe, Dinnington and Laughton Common, Whiston, Thorpe Hesley and Scholes, where it was agreed that the council would carry out extensive drainage surveys to establish the cause of the flooding and to indicate possible solutions and/or improvements needed to existing drainage systems. Five summary reports have now been completed by the council and have been published on the council's web site for residents to gain access.

In addition, the Environment Agency held three 'Drop In Sessions' at Catcliffe and Parkgate for the residents, which were also attended by representatives of the council's Drainage and Forward Planning section.

Since June 2007 floods the council along with its partners such as the Environment Agency have carried out various improvement works in areas affected by the floods, and are listed below:

- **Whiston**
  - In 2007 the council completed general clearance works within the River Whiston Brook, at a cost of £20,000.
  - The Environment Agency in partnership with the council will shortly be carrying out a scheme for major clearance and repair to flood walls along the River Whiston Brook. The cost of these works are estimated at £61,000.
  - The Environment Agency with the help of the council are carrying out a flood study report, which will identify possible restrictions and hydraulic problems within the River Whiston Brook.
  - Shortly after the floods the council completed the cleansing of all road gullies affected by the floods and culverts were cleansed under public highways.
  - The council has arranged for a developer to rebuild the damaged river wall opposite to The Pieces South, Whiston.

- **Catcliffe**

- Shortly after the floods the council completed the cleansing of all road gullies affected.
- The Environment Agency in partnership with the council will shortly be carrying out major scheme to obtain six number 150 mm diameter diesel driven pumps and associated ancillaries, and two number pumping chambers, which will assist in pumping flood water in areas most at risk from flooding. The cost of these items are estimated at £200,000.
- In June 2008 the council and John Healey MP, the Floods Minister, agreed to allow the company 'egan' to distribute, free of charge, 2,500 FloodSax to residents of Catcliffe, as part of a pilot scheme. The FloodSax should provide additional defence against any possible flooding. It is proposed that these FloodSaxs will be held and distributed to residents by the Parish Council. A separate report will be submitted to CMT regarding the policy of Parish Councils holding sandbag stocks.
- The council has repaired a damaged highway drain in Sheffield Lane.
- The council in partnership with the Environment Agency and Yorkshire Water are preparing an Action Plan based on high river levels which will inform the deployment of pumps and generators on site to deal with possible flood water.

- **Dinnington and Laughton Common**

- Shortly after the floods the council completed the cleansing of all road gullies affected.
- The council commissioned a Contractor JBA, to carry out a flood study report, which has identified restrictions and hydraulic problems within the watercourses known as Cramfit Brook and Eel Mires Dike. The cost of the report was £14,300.
- The council has cleared debris from Cramfit Brook on two occasions.

- **Thorpe Hesley**

- Shortly after the floods the council completed the cleansing of all road gullies affected.
- The council has cleared debris and maintained the watercourse to the south of Oakenwood Road, and cleansed the culvert under the footpath near Oakenwood Road.

- **Scholes**

- Shortly after the floods the council completed the cleansing of all road gullies affected.
- The watercourse within land known as Kepples field has been maintained by the council and a new culvert has been installed to allow the free passage of water through the land.

General works have been carried out by the council throughout Rotherham, such as the cleansing of gullies and culverts. The council is discussing with the riparian owners (ie landowners) the importance of maintaining watercourses which are their responsibility.

The council is at present commencing its investigation works into other areas of Rotherham adversely affected by the floods in June 2007 and as a precautionary measure clearing gullies and culverts in the vulnerable areas on a more frequent basis. This work is carried out at an additional cost to the Streetpride Revenue Budget.

## 7.2 Forward Planning

- **Guidance**

The Government provides guidance to local authorities on flooding issues through Planning Policy Statement (PPS) 25 - Development and Flood Risk, A Practice Guide Companion, and PPS1 - Planning and Climate Change.

In line with that guidance (PPS25) the council has engaged consultants (Jacobs) to undertake a Strategic Flood Risk Assessment (level 1) - SFRA - for the whole Borough. The SFRA will then inform the allocation of land for development in the Local Development Framework.

This work was due to be completed in spring 2007 but the June 2007 floods required additional work to be carried out to ensure the SFRA was comprehensive. Unfortunately, much of the additional information needed has to be obtained from the Environment Agency, which is still under intense pressure following the floods of last summer. This information is now almost ready for release so that the SFRA can, finally, be completed.

- **Development Control**

The SFRA will assist Development Control officers dealing with planning applications and provide for consistency in planning decisions.

Following last summer's floods we are aware of the areas most vulnerable to flooding in the Borough and will ensure that new developments in the vicinity of these areas do not exacerbate the situation.

Developments on Brownfield sites will have to reduce the amount of run-off compared to the previous use of the site.

Developments on Greenfield sites will have to limit run-off to no more than existing.

The Government are considering a call for sustainable drainage systems (SUDS) to be compulsory in all new developments.

Codes for sustainable buildings can include rainwater capture (harvesting) and grey water recycling to reduce run-off and water demand. These are under consideration in Rotherham.

- **Templeborough Flood Alleviation Scheme**

For the last few years the council, in conjunction with partner organisations has been implementing the multi-million pound Templeborough Flood Alleviation Scheme.

These works involve erecting flood barriers, creating a water retention area and removing obstructions such as weirs and utility bridges to provide protection for Rotherham Town Centre and the Templeborough area against 1 in 100 year flooding events.

The works will also bring land forward for development which will assist the Rotherham Town Centre renaissance project. A SFRA (level 2) sequential test has been produced for this stretch of the River Don, to satisfy the

Environment Agency that sites required for the regeneration of Rotherham can now be safely developed providing certain flood mitigation measures are incorporated.

Details of these mitigation measures can be found in the Town Centre Interim Planning Statement which is currently out to public consultation.

The design work for phase II of the scheme, from Don Street, through the town centre to Don Bridge has begun. No funding source has been identified at present.

## 7.3 Emergency Planning

The main focus of work since the floods of June 2007 have been centred around the undermentioned areas:

- **Corporate Recovery Group**

In order to ensure that comprehensive support was in place to address the issues arising from the events of June 2007, a Corporate Recovery Group was formed with its first meeting taking place on Tuesday 3 July 2007. The composition of the group, which was chaired by the Director of Asset Management, included representation from each Directorate, specialist departments and external partners such as Voluntary Action Rotherham and the Primary Care Trust (PCT). The group met on a weekly basis until 26 July 2007. This was then reduced to fortnightly in line with developments and the frequency of the South Yorkshire Flood Recovery Group attended by the Chief Executive.

The areas addressed by the Corporate Recovery Group included:

- Economic
- Social
- Health and Environmental impacts

More specifically:

- Business recovery and the macro-economy
- Infrastructure recovery
- Interruptions to daily life
- Accommodation issues
- The management of charitable donations
- Parish Council involvement
- Waste and pollution
- Bio-diversity and eco-systems
- Children activity groups during summer holiday period
- Street cleansing and sandbag collection
- Loss of natural resources
- Outcomes from public meetings
- Medium to longer term planning
- Communications with local communities, local/regional/national media and other key stakeholders.

A full detailed breakdown of the work undertaken by the Recovery Group is included in the Post Incident Report, which is updated as and when further information becomes available or is known.

All main issues arising from the floods have, in the main, been addressed. Minor issues have been picked up by the appropriate Directorate as part of routine operations. In terms of housing, seven local authority premises, all at

Catcliffe (3 on The Crofts and 4 on Chapel Walk) remain vacant pending outstanding work. In addition to these seven there is believed to be around eighteen private dwellings within the Borough still currently unoccupied.

Where local authority residents have been displaced and where they have advised that they do not want to return to their home, a management transfer is being facilitated through the Housing Assessment Panel.

- **Local Multi Agency Flood Plans**

The Emergency and Safety Team are pulling together a Local Multi Agency Flood Plan that will outline actions and procedures that enable local agencies to respond in a co-ordinated, timely and flexible manner to all main rivers, ground water and surface water flooding incidents within the borough.

To deliver this plan a local Multi Agency Flood Group has been formed, which is chaired by the Emergency and Safety Manager and comprises of:

- Various departments of Rotherham MBC
- Environment Agency
- Emergency Services
- Utility companies
- Voluntary Sector
- Rotherham Primary Care Trust
- British Waterways
- Rail Network/South Yorkshire Passenger Transport Executive
- UK Coal Authority.

The main objectives of the plan, when produced, will be to:

- Provide clear definition of the roles, responsibilities and actions of key agencies throughout the response.
- Implement a risk based approach to responding to flooding within the Borough.
- Set out a clear activation procedure so that all agencies are informed appropriately regarding timings and information shared.
- Implement a pre-flood group/meeting when flooding is expected to ensure all agencies are alerted early and can respond accordingly.
- Set out the flood plan co-ordination and control arrangements specific to the flooded area.
- Provide a reference of the contact details of all main responders.
- Outline the council's sandbag policy.
- Detail how the recovery arrangements will be implemented.

- Address the issues of warning and informing the public as linked with the new National Performance Indicator 37.

An added feature to this plan (and linked to the final bullet point above) is the production of a “Z-Card”, which is a wallet sized information leaflet that expands to A4 size and provides specific information on what to do before, during and after a flooding event. In addition, appropriate telephone numbers are also included for easy reference. These actions are to emphasis self help within the community rather than depending on responding agencies.

A number of meetings of the Multi Agency Flood Group have taken place and the draft plan is developing. Once the plan has been completed it will be tested with a desktop exercise. It is envisaged that the plan and exercise will be complete by December 2008/January 2009. Once complete, it is envisaged that the plan will go to open consultation with appropriate Area Assemblies, Parish Councils, Flood Action Groups and interested residents residing in the high risk and vulnerable areas. The Environment Agency have stated that when the plan is complete it will be one of a few that have been completed nationally and will be easily twelve months in front of other local authorities.

- **Meeting with Parish Councils**

One aspect of the Multi Agency Flood Response Plan is the capacity of appropriate local parish councils to store sandbags either, filled hessian or nylon bags of sand (the type normally distributed by the council) or the newly introduced flood defence sacks which contain silica gel and need to be soaked in water prior to use.

In preparation for a report that will be submitted to the Corporate Management Team shortly, members of the Emergency and Safety Team together with Streetpride have met with the Parish Councils of Catcliffe, Treeton, Dinnington and Whiston with a view to determining their willingness to store, maintain and distribute stockpiles of these sandbags. The sandbags can then be easily deployed at the appropriate trigger point of the Multi Agency Flood Response Plan in accordance with the draft council's sandbag policy. All Parish Councils visited have agreed to this in principle and a questionnaire has been forwarded to each Parish Council requesting confirmation of their capacity to store and issue the sandbags. A copy of this questionnaire is attached at Appendix 2 for reference. All questionnaires have now been received from the Parish Councils and are currently with Streetpride to progress.

- **Meetings with Local Communities**

The Emergency and Safety Team are currently liaising with the Flood Action Groups of the areas that were flooded with a view to working with the local community in meeting their needs to responding and recovering to future incidents. All issues agreed will be published in the Multi Agency Flood Response Plan.

- **Internal Issues**

Over the past twelve months, a number of internal arrangements have been looked into ranging from investment in alternative Borough Emergency Operations Rooms, Satellite Communications through to purchase of additional Emergency Planning Stores and recruitment of additional voluntary staff to be trained in an Emergency Planning role. Internal response developments identified during the extensive council debriefings are listed in the Post Incident Report. These developments have been addressed and implemented by the various departments.

## 7.4 Communications and Marketing

- **Post Flooding Public Meetings**

The corporate Communications and Marketing team has been responsible for setting up and administering the series of public meetings referred to previously in this report in the areas most affected, ie:

- **Catcliffe** (11 July, 26 September 2007)
- **Whiston** (12 July, 3 October 2007)
- **Dinnington** (13 July, 9 October 2007, 13 May 2008)
- **Thorpe Hesley** (21 August, 23 October 2007)

This work has included co-ordinating the involvement of appropriate council officers and representatives of relevant external agencies; liaison with local groups, including Parish Councils; promotion and publicity of the events; taking and distribution of the official record of the meetings, and associated media relations - before, during and after the sessions.

The meetings have provided an opportunity to feed back to local residents on progress made and work completed in response to the flooding, as well as to hear from them about their specific concerns and to collate local intelligence which can contribute to the overall operational response.

- **General Media Relations**

The flooding and its aftermath has continued to generate media interest at local, regional and national level (eg Radio 4's File on Four Focus on Dams and Reservoirs) around issues such as:

- Funding eg impact of decisions taken by Central Government and impact on local residents.
- Council decision on future of Ulley Reservoir.
- People back in their homes.

Corporate press officers have continued to deal with these speedily and effectively in the interests of providing useful information for citizens; rebutting inaccuracies, reporting on progress around specific issues such as drainage, flood alleviation, etc and thereby protecting the council's reputation.

- **Television Documentary Proposals**

Corporate press officers have been working closely with both the BBC and Channel 4 on documentary programmes focusing on the floods, their aftermath, progress made and/or the actual anniversary of the flooding as part of a wider analysis of the national picture and climate change issues.

- Britain Under Water is a one-hour special for BBC1 to be presented by Huw Edwards, exploring the science of the floods - what happened; why did it rain so much and what impact did it have on our rivers and drains? It will also tell the stories of those directly involved with the terrible events - The Navy, Army, RAF, flood victims, rescue workers, evacuees. The BBC is revisiting the scene a year on to survey how this unprecedented modern catastrophe has affected Britain. The proposed angle on Ulley is to "celebrate the bravery and tenacity of everyone involved in staving off this possible disaster".
- The Channel 4 Dispatches programme examined the impact of the floods, looking in particular at the adequacy of Britain's flood defences, the resilience of critical infrastructure such as dams and drainage, and what can be done to prepare for this kind of extreme weather in the future.

This has involved providing strategic advice to members and officers, liaising with production crews, setting up interviews and working with the relevant specialist officers to ensure accurate information is provided and the authority's case is appropriately presented.

- **Internal Communications**

The corporate Communications and Marketing team, particular the Internal Communications Officer - has worked with colleagues across the council to inform staff (and also external agencies) of the contribution of the authority to the flood response; to advise on action required to prepare for potential future events, and also to acknowledge the hard work and commitment of staff who were involved in June 2007.

This work has included:

- A special post-floods issue of "Unite".
- Working with Strategic HR on the flooding element of the 2008 VIP Awards, including a guest speaker with a focus on the impact of climate change.

- Working with colleagues at Voluntary Action Rotherham to secure an appropriate flood element in the 2007 Community Achievement Awards.

## **Meeting Future Needs - Improvements and Initiatives**

### **(a) Wider Emergency Planning Issues**

As with other colleagues across the council, the Communications and Marketing team have identified a number of areas in their specific response to the 2007 floods where further development is required.

This includes the need for a formal rota of public information lead officers to be established, with the provision of appropriate training and the necessary updating of the Borough Emergency Plan.

The team is also contributing to the ongoing work to develop RMBC's plan for warning and information the public - National Indicator 37 - including:

- Closer working with Parish Councils and Area Assemblies to reach local communities, and particularly hard to reach groups.
- Information in the final issue of Rotherham Council Matters and following its launch in September 2008, the new LSP newspaper.
- Making optimum use of the RMBC website.

### **(b) June 2008 - A Year On from the Summer Floods**

The corporate Communications and Marketing team will work with local newspapers, radio and regional TV to identify how they are proposing to mark and deal with the anniversary of the floods, and how RMBC can contribute to this - in particular taking the opportunity to highlight what progress has been made and actions taken - such as the development of the Multi Agency Flood Plan, investment in flood alleviation etc.

It will also provide a useful opportunity on which to "piggy back" the provision of information and reassurance to the public in support of the council's delivery of National Indicator 37.

### **(c) Ongoing Media Management**

The corporate Communications and Marketing team will continue to deal with routine media calls relating to the June 2007 floods, the potential for future events and the council's emergency response and preparedness, and to generate positive coverage in this context.

The Press Office rota which was operational during summer 2007 was deemed to have worked well, and remains in force in the event of future events.

## 8. Finance

The costs relating to the flood damage, response and recovery has been subject to previous separate reports submitted by Financial Services. To summarise the costs are as shown:

	Revenue £m	Capital £m	Total £m
Cost of dealing with the emergency	1.9		1.9
Grants and assistance to individuals and businesses	0.4		0.4
Damage to council property and equipment	0.9	9.0	9.9
Loss of income	1.0		1.0
<b>TOTAL</b>	<b>4.2</b>	<b>9.0</b>	<b>13.2</b>

The funding position, in brief, can be summarised as follows, but it must be taken into consideration that the capital costs are subject to change:

<b>Revenue</b>	<b>£m</b>
Bellwin Grant	1.1
Other revenue grants	0.4
Other budgets	0.2
Insurance claims to date	0.3
National non domestic rates pool	0.7
Collection fund	0.2
<b>TOTAL REVENUE RESOURCES</b>	<b>2.9</b>

<b>Capital</b>	
Capital grants and insurances etc	2.3
Deferred capital work at Greasbrough Depot	0.9
<b>Leaving to be met from council resources:</b>	
Capital programme	5.8
General fund revenue	1.3
<b>TOTAL</b>	<b>13.2</b>

At the time of submission of this report a further funding stream - Restoration Grant totalling £30.6m has recently been announced. Details of the allocation should be known by the end of July when a further report from Financial Services will be submitted to the Corporate Management Team.

Investigation drainage works carried out by the council has identified additional works required for further improvement for resolving or improving the flooding problems. Further investigation works are required in other areas within Rotherham which were also adversely affected by the floods. These additional works together with further identified response improvements will have financial implications for the council.

## 9. Risks and Uncertainties

- A small number of the residents affected by the floods have not yet returned to their homes and residents are very concerned that lives and properties

could be at risk from similar flooding events in the future. In addition, the anniversary of the floods is fast approaching, which will bring renewed media interest which may result in heightened residential tensions and concerns. To address these concerns, the council continues liaison including neighbouring authorities and the Flood Minister, John Healey MP.

- Sir Michael Pitt Review and the Environment Agency Review of 2007 - Summer Floods 2007 recommend that improvement to existing drainage systems, which are the responsibility of the council is carried out to minimise potential flooding problems.

## **10. Policy and Performance Agenda Implications**

The issues contained within this report support the council's main themes of Rotherham Safe and Rotherham Achieving.

## **11. Background Papers and Consultation**

- Post Incident Report - June 2007 Floods.
- Minutes from Corporate Recovery Group Meeting (*individually submitted to CMT after each meeting*).
- The Interim and Full Pitt Review - December 2007/June 2008.
- Environment Agency Review - Summer Floods 2007.

**Contact Name :** *Ian Smith, Director of Asset Management, Extension 3850, e-mail: ian-EDS.smith@rotherham.gov.uk*

## PITT REPORT – RECOMMENDATIONS

<b>Rec. No</b>	<b>Recommendation</b>	<b>Responsible Agency</b>
<b>1</b>	Given the predicted increase in the range of future extremes of weather, the Government should give priority to both adaptation and mitigation in its programmes to help society cope with climate change.	Central Govmt.
<b>2</b>	The Environment Agency should be a national overview of all flood risk, including surface water and groundwater flood risk, with immediate effect.	Env. Agency
<b>3</b>	The Met Office should continue to improve its forecasting and predicting methods to a level which meets the needs of emergency responders.	Met. Office
<b>4</b>	The Environment Agency should further develop its tools and techniques for predicting and modelling river flooding, taking account of extreme and multiple events and depths and velocity of water.	Env. Agency
<b>5</b>	The Environment Agency should work with partners to urgently take forward work to develop tools and techniques to model surface water flooding.	Env. Agency & Met. Office
<b>6</b>	The Environment Agency and the Met Office should work together, through a joint centre, to improve their technical capability to forecast, model and warn against all sources of flooding.	Env. Agency & Met. Office
<b>7</b>	There should be a presumption against building in high flood risk areas, in accordance with PPS25, including giving consideration to all sources of flood risk, and ensuring that developers make a full contribution to the costs both of building and maintaining any necessary defences.	<b>Local Authority</b>
<b>8</b>	The operation and effectiveness of PPS25 and the Environment Agency's powers to challenge development should be kept under review and strengthened if and when necessary.	<b>Env. Agency &amp; Local Authority</b>
<b>9</b>	Householders should no longer be able to lay impermeable surfaces as of right on front gardens and the Government should consult on extending this to back gardens and business premises.	<b>Local Authority</b>
<b>10</b>	The automatic right to connect surface water drainage of new developments to the sewerage system should be removed.	Yorkshire Water
<b>11</b>	Building Regulations should be revised to ensure that all new or refurbished buildings in high flood-risk areas are flood resistant or resilient.	<b>Local Authority</b>
<b>12</b>	All local authorities should extend eligibility for home improvement grants and loans to include flood resistance and resilience products for properties in high flood-risk areas.	<b>Local Authority</b>
<b>13</b>	Local authorities, in discharging their responsibilities under the Civil Contingencies Act 2004 to promote business continuity, should encourage the take-up of property flood resistance and resilience by businesses.	<b>Local Authority</b>

Rec. No	Recommendation	Responsible Agency
<b>14</b>	Local authorities should lead on the management of local flood risk, with the support of the relevant organisations.	<b>Local Authority</b>
<b>15</b>	Local authorities should positively tackle local problems of flooding by working with all relevant parties, establishing ownership and legal responsibility.	<b>Local Authority</b>
<b>16</b>	Local authorities should collate and map the main flood risk management and drainage assets (over and underground), including a record of their ownership and condition.	<b>Local Authority</b>
<b>17</b>	All relevant organisations should have a duty to share information and cooperate with local authorities and the Environment Agency to facilitate the management of flood risk.	<b>Local Authority &amp; Env. Agency</b>
<b>18</b>	Local Surface Water Management Plans, as set out under PPS25 and coordinated by local authorities, should provide the basis for managing all local flood risk.	<b>Local Authority</b>
<b>19</b>	Local authorities should assess and, if appropriate, enhance their technical capabilities to deliver a wide range of responsibilities in relation to local flood risk management.	<b>Local Authority</b>
<b>20</b>	The Government should resolve the issue of which organisations should be responsible for the ownership and maintenance of sustainable drainage systems.	Central Govmt.
<b>21</b>	Defra should work with Ofwat and the water industry to explore how appropriate risk-based standards for public sewerage systems can be achieved.	Defra, Ofwat & Yorkshire Water
<b>22</b>	As part of the forthcoming and subsequent water industry pricing reviews, Ofwat should give appropriate priority to proposals for investment in the existing sewerage network to deal with increasing flood risk.	Ofwat & Yorkshire Water
<b>23</b>	The Government should commit to a strategic long-term approach to its investment in flood risk management, planning up to 25 years ahead.	Central Govmt.
<b>24</b>	The Government should develop a scheme which allows and encourages local communities to invest in flood risk management measures.	Central Govmt.
<b>25</b>	The Environment Agency should maintain its existing risk-based approach to levels of maintenance and this should be supported by published schedules of works for each local authority area.	Env. Agency
<b>26</b>	The Government should develop a single set of guidance for local authorities and the public on the use and usefulness of sandbags and other alternatives, rather than leaving the matter wholly to local discretion.	Central Govmt.

Rec. No	Recommendation	Responsible Agency
27	Defra, the Environment Agency and National England should work with partners to establish a programme through Catchment Flood Management Plans and Shoreline Management Plans to achieve greater working with natural processes.	Env. Agency & Defra
28	The forthcoming flooding legislation should be a single unifying Act that addresses all sources of flooding, clarifies responsibilities and facilitates flood risk management.	Central Govmt.
29	The Government and the insurance industry should work together to deliver a public education programme setting out the benefits of insurance in the context of flooding.	Central Govmt. & the Association of British Insurers (ABI)
30	The Government should review and update the guidance <i>Insurance for all: A good practice guide</i> for providers of social housing and disseminate it effectively to support the creation of insurance with rent schemes for low income households.	Central Govmt. & the ABI
31	In flood risk areas, insurance notices should include information on flood risk and the simple steps that can be taken to mitigate the effects.	Env. Agency & the ABI
32	The insurance industry should develop and implement industry guidance for flooding events, covering reasonable expectations of the performance of insurers and reasonable actions by customers.	ABI
33	The Environment Agency should provide a specialised site-specific flood warning service for infrastructure operators, offering longer lead times and greater levels of detail about the velocity and depth of flooding.	Env. Agency
34	The Met Office and the Environment Agency should issue warnings against a lower threshold of probability to increase preparation lead times for emergency responders.	Env. Agency & Met. Office
35	The Met Office and Environment Agency should issue joint warnings and impact information on severe weather and flooding emergencies to responder organisations and the public.	Env. Agency & Met. Office
36	The Environment Agency should make relevant flood visualisation data, held in electronic map format, available online to Gold and Silver Commands.	Env. Agency
37	The Environment Agency should work with its partners to progressively develop and bring into use flood visualisation tools that are designed to meet the needs of flood-risk managers, emergency planners and responders.	Env. Agency
38	Local authorities should establish mutual aid agreements in accordance with the guidance currently being prepared by the Local government Association and the Cabinet Office.	<b>Local Authorities</b>
39	The Government should urgently put in place a fully funded national capability for flood rescue with Fire and Rescue Authorities playing a leading role, underpinned as necessary by a statutory duty.	Central Govmt.

<b>Rec. No</b>	<b>Recommendation</b>	<b>Responsible Agency</b>
<b>40</b>	Defra should amend emergency regulations to increase the minimum amount of water to be provided in an emergency, in order to reflect reasonable needs during a longer-term loss mains supply.	Defra
<b>41</b>	Upper tier local authorities should be the lead responders in relation to multi-agency planning for severe weather emergencies at the local level and for triggering multi-agency arrangements in response to severe weather warnings and local impact assessments.	<b>Local Authorities</b>
<b>42</b>	Where a Gold Command is established for severe weather events, the police, unless agreed otherwise locally, should convene and lead the multi-agency response.	Police
<b>43</b>	Gold Commands should be established at an early stage on a precautionary basis where there is a risk of serious flooding.	<b>Local Resilience Forums</b>
<b>44</b>	Category 1 and 2 responders should assess the effectiveness of their emergency response facilities, including flexible accommodation, IT and communications systems, and undertake any necessary improvement works.	<b>Cat 1 &amp; Cat 2 Responders</b>
<b>45</b>	The Highs Agency, working through Local Resilience Forums, should further consider the vulnerability of motorways and trunk roads to flooding, the potential for better warnings, strategic road clearance to avoid people becoming stranded and plans to support people who become stranded.	<b>Local Resilience Forums &amp; Highways Agency</b>
<b>46</b>	The rail industry, working through Local Resilience Forums, should develop plans to provide emergency welfare support to passengers stranded on the rail network.	<b>Local Resilience Forums &amp; Rail Operators</b>
<b>47</b>	The Ministry of Defence should identify a small number of trained Armed Forces personnel who can be deployed to advise Gold Commands on logistics during wide-area civil emergencies and, working with Cabinet Office, identify a suitable mechanism for deployment.	MoD
<b>48</b>	Central government crisis machinery should always be activated if significant wide-area and high-impact flooding is expected or occurs.	Cabinet Office
<b>49</b>	A national flooding exercise should take place at the earliest opportunity in order to test the new arrangements which central government departments are putting into place to deal with flooding and infrastructure emergencies.	Cabinet Office
<b>50</b>	The Government should urgently begin its systematic programme to reduce the disruption of essential services resulting from natural hazards by publishing a national framework and policy statement setting out the process, timescales and expectations.	Central Govmt.
<b>51</b>	Relevant government departments and the Environment Agency should work with infrastructure operators to identify the vulnerability and risk assets to flooding and a summary of the analysis should be published in Sector Resilience Plans.	Central Govmt. & Env. Agency

<b>Rec. No</b>	<b>Recommendation</b>	<b>Responsible Agency</b>
<b>52</b>	In the short-term, the Government and infrastructure operators should work together to build a level of resilience into critical infrastructure assets that ensures continuity during a worst-case flood event.	Central Govmt.
<b>53</b>	A specific duty should be placed on economic regulators to build resilience in the critical infrastructure.	... ???
<b>54</b>	The Government should extend the duty to undertake business continuity planning to infrastructure operating Category 2 responders to a standard equivalent to BS25999, and that accountability is ensured through an annual benchmarking exercise within each sector.	Central Govmt.
<b>55</b>	The Government should strengthen and enforce the duty of Category 2 responders to share information on the risks to their infrastructure assets, enabling more effective emergency planning within Local Resilience Forums.	Central Govmt.
<b>56</b>	The Government should issue clear guidance on expected levels of Category 2 responders' engagement in planning, exercising and response and consider the case for strengthening enforcement arrangements.	Central Govmt.
<b>57</b>	The Government should provide Local Resilience Forums with the inundation maps for both large and small reservoirs to enable them to assess risks and plan for contingency, warning and evacuation and the outline maps be made available to the public online as part of wider flood risk information.	Central Govmt.
<b>58</b>	The Government should implement the legislative changes proposed in the Environment Agency biennial report on dam and reservoir safety through the forthcoming flooding legislation.	Central Govmt.
<b>59</b>	The Risk and Regulation Advisory Council should explore how the public can improve their understanding of community risks, including those associated with flooding, and that the Government should then implement the findings as appropriate.	Risk and Regulation Advisory Council
<b>60</b>	The Government should implement a public information campaign which draws on a single definitive set of flood prevention and mitigation advice for householders and businesses, and which can be used by media and the authorities locally and nationally.	Central Govmt.
<b>61</b>	The Environment Agency should work with local responders to raise awareness in flood risk areas and identify a range of mechanisms to warn the public, particularly the vulnerable, in response to flooding.	Env. Agency
<b>62</b>	The Environment Agency should work urgently with telecommunications companies to facilitate the roll-out of opt-out telephone flood warning schemes to all homes and businesses liable to flooding, including those with ex-directory numbers.	Env. Agency & Telecomms Operators
<b>63</b>	Flood risk should be made part of the mandatory search requirements when people buy property and should form part of Home Information Packs.	Central Govmt.

<b>Rec. No</b>	<b>Recommendation</b>	<b>Responsible Agency</b>
<b>64</b>	Local Resilience Forums should continue to develop plans for door-knocking, coordinated by local authorities, to enhance flood warnings before flooding and to provide information and assess welfare needs once flooding has receded.	<b>Local resilience Forums</b>
<b>65</b>	The Met Office and Environment Agency should urgently complete the production of a sliding scale of options for greater personalisation of public warning information, including costs, benefits and feasibility.	Env. Agency & Met. Office
<b>66</b>	Local authority contact centres should take the lead in dealing with general enquiries from the public during and after major flooding, redirecting calls to other organisations when appropriate.	<b>Local Authorities</b>
<b>67</b>	The Cabinet Office should provide advice to ensure that all Local Resilience Forums have effective and linked websites providing public information before, during and after emergency.	Cabinet Office
<b>68</b>	Council leaders and chief executives should play a prominent role in public reassurance and advice through the local media during a flooding emergency, as part of a coordinated effort overseen by Gold Commanders.	<b>Local Authority Chief Execs &amp; Council Leaders</b>
<b>69</b>	The public should make up a flood kit – including personal documents, insurance policy, emergency contact numbers (including local council, emergency services and Flood line), torch, battery or wind-up radio, mobile phone, rubber gloves, wet wipes or antibacterial hand gel, first aid kit and blankets.	Flood Affected Residents
<b>70</b>	The Government should establish a programme to support and encourage individuals and communities to be better prepared and more self-reliant during emergencies allowing the authorities to focus on those areas and people in greatest need.	Central Govmt.
<b>71</b>	The Department of Health and other relevant bodies should develop a single set of flood-related health advice for householders and businesses which should be used by all organisations nationally and locally made available through a wide range of sources.	Dept. of Health
<b>72</b>	Local response and recovery coordinating groups should ensure that health and wellbeing support is readily available to those affected by flooding based on the advice developed by the Department of Health.	Dept. of Health
<b>73</b>	The Government, the Association of British Insurers and other relevant organisations should work together to explore any technological or process improvements that can be made to speed up the drying out and stabilising process of building recovery after a flood.	Central Govmt. & the ABI
<b>74</b>	The monitoring of the impact of flooding on the health and wellbeing of people, and actions to mitigate and manage the effects, should form a systematic part of the work of Recovery Coordinating Groups.	Health Protection Agency (HPA) & Primary Care Trusts (PCT's)

<b>Rec. No</b>	<b>Recommendation</b>	<b>Responsible Agency</b>
<b>75</b>	For emergencies spanning more than a single local authority area, Government Offices should ensure coherence and coordination, if necessary, between recovery operations.	Regional Govmt. Offices
<b>76</b>	Local authorities should coordinate a systematic programme of community engagement in their area during the recovery phase.	<b>Local Authorities</b>
<b>77</b>	National and local Recovery Co-ordinating Groups should be established from the outset of major emergencies and in due course there should be formal handover from the crisis machinery.	<b>Local Resilience Forums</b>
<b>78</b>	Aims and objectives for the recovery phase should be agreed at the outset by Recovery Coordinating Groups to provide focus and enable orderly transition into mainstream programmes when multi-agency coordination of recovery is no longer required.	<b>Local Resilience Forums</b>
<b>79</b>	Government Offices, in conjunction with the Local Government Association, should develop arrangements to provide advice and support from experienced organisations to areas dealing with recovery from severe flooding emergencies.	Regional Govmt. Offices
<b>80</b>	All central government guidance should be updated to reflect the new arrangements for recovery and Local Resilience Forums should plan, train and exercise on this basis.	Central Govmt.
<b>81</b>	There should be an agreed framework, including definitions and timescales, for local-central recovery reporting.	<b>Regional Govmt. Offices &amp; Local Resilience Forums</b>
<b>82</b>	Following major flooding events, the Government should publish monthly summaries of progress of the recovery phase, including the numbers of households still displaced from all or part of their homes.	Central Govmt. & Regional Govmt. Offices &
<b>83</b>	Local authorities should continue to make arrangements to bear the cost of recovery for all but the most exceptional emergencies, and should revisit their reserves and insurance arrangements in light of last summer's floods.	<b>Local Authorities</b>
<b>84</b>	Central government should have pre-planned rather than ad-hoc arrangements to contribute towards the financial burden of recovery from the most exceptional emergencies, on a formula basis.	Central Govmt.
<b>85</b>	Local Recovery Coordination Groups should make early recommendations to elected local authority members about longer-term regeneration and economic development opportunities.	<b>Local Authorities</b>
<b>86</b>	The Government should publish an action plan to implement the recommendations of this Review, with a Director in Defra overseeing the programme of delivery and issuing regular progress updates.	Central Govmt. & Defra
<b>87</b>	The Government should establish a Cabinet Committee with a remit to improve the country's ability to deal with flooding and implement the recommendations of this Review.	Central Govmt.

<b>Rec. No</b>	<b>Recommendation</b>	<b>Responsible Agency</b>
<b>88</b>	The Government should establish a National Resilience Forum to facilitate national level multi-agency planning for flooding and other emergencies.	Central Govmt.
<b>89</b>	The Defra Select Committee should review the country's readiness for dealing with flooding emergencies and produce an assessment of progress in implementation of the Review's recommendations after 12 months.	Central Govmt. & Cabinet Office
<b>90</b>	All upper tier local authorities should establish Oversight and Scrutiny Committees to review work by public sector bodies and essential service providers in order to manage flood risk, underpinned by a legal requirement to cooperate and share information.	<b>Local Authorities</b>
<b>91</b>	Each Oversight and Scrutiny Committee should prepare an annual summary of actions taken locally to manage flood risk and implement this Review, and these reports should be public and reviewed by Government Offices and the Environment Agency.	<b>Local Authorities</b>
<b>92</b>	Local Resilience Forums should evaluate and share lessons from both the response and recovery phases to inform their planning for future emergencies.	<b>Local Resilience Forums</b>

# Questionnaire

From: ..... Date: .....

To: Emergency and Safety Team  
Asset Management Service  
Bailey House  
Rawmarsh Road  
Rotherham S60 1TD

## Storage of Sandbags by Parish Councils

**Question 1:** **Do you want to hold a small stockpile of sandbags available to distribute locally in the event of a potential flooding situation?**

Answer: .....  
*(If the answer is No then go straight to signature block)*

**Question 2:** **If the answer to Question 1 above is Yes, how many traditional sandbags do you feel you will be able to store?**

Answer: .....  
.....

**Question 3:** **Are you happy to manage, maintain and distribute these sandbags? (Health and Safety advice is available from the council in issuing/distributing sandbags)**

Answer: .....  
.....

**Question 4:** **Do you have a secured area identified where you could store filled sandbags? (This could be outside providing they are properly stored on a pallet and wrapped in waterproof material)**

Answer: .....  
.....  
.....

**Question 5:** **Do you have an area identified where you could store the 'flood defence sacks' which are contained in sealed plastic bags inside cardboard boxes and would need to be stored indoors?**

Answer: .....

.....

.....

**Question 6:** **Have you identified a suitable person(s) to be responsible for the sandbag stores on a routine basis?**

Answer: .....

.....

.....

**Question 7:** **Are you aware of the vulnerable people in your community?**

Answer: .....

.....

.....

**Question 8:** **What is your intention:**

- 8.1 **To issue the sandbags, when required, to appropriate listed premises?**  \*
- 8.2 **To arrange, when required, for the sandbags to be collected by appropriate listed premises?**  \*

\* Please tick accordingly

*The council's Health and Safety staff are available to assist in giving guidance on the handling of sandbags.*

**Signature:** .....

**Name in block capitals:** .....

**Designation:** .....

**Thank you for taking the time to complete this questionnaire.** Please return to the Emergency Planning Officer at the address given on page 1.

**ROTHERHAM BOROUGH COUNCIL – REPORT**

<b>1.</b>	<b>Meeting:</b>	<b>Performance and Scrutiny Overview Committee</b>
<b>2.</b>	<b>Date:</b>	<b>26th September 2008</b>
<b>3.</b>	<b>Title:</b>	<b>Local Government Reform – Strong &amp; Prosperous Communities and the Local Government &amp; Public Involvement in Health Act 2007 implementation</b>
<b>4.</b>	<b>Directorate:</b>	<b>Chief Executive's</b>

### **5. Summary**

Further to previous reports covering “Strong and Prosperous Communities” the Local Government White Paper, the Local Government and Public Involvement in Health Act 2007 and the Council’s implementation plan workstreams, this report provides an update on progress.

The report is the first of two interrelated reports, the second covering “Communities in Control – Real People – Real Power”, the latest local government white paper.

### **6. Recommendations**

**That PSOC:**

- a) Note progress in implementing the requirements set out in the Local Government & Public Involvement in Health Act 2007;**
- b) Note those provisions of the Act not yet commenced and receive further reports as appropriate when commencement details are known;**

## **7. Proposals and Details**

This report is the first of two reports covering the Government's local government reform agenda, the impact for Rotherham and the Council's own implementation plan. The report covers progress on implementation of the workstreams arising from both "Strong and Prosperous Communities", the white paper published in October 2006; and the Local Government and Public Involvement in Health Act 2007 (c. 28)

Further developments contribute to the reform agenda, building on previous documents. The most recent key development is the "Communities in Control" White Paper, published on 9<sup>th</sup> July. This takes forward some components of the previous White Paper together with aspects of the Governance of Britain Green Paper, published in July 2007 and the Action Plan for Community Empowerment, published in October 2007. The developments in "Communities in Control" are the subject of the second report, including new workstreams within the Council's implementation plan.

The sections below provide the latest position on implementation of the 2007 Act and the "Strong and Prosperous Communities" White Paper. This is supported by a table which looks at progress to date on implementation in Rotherham.

### **Local Government & Public Involvement in Health Act 2007**

Update commentary on those parts of the Act of direct relevance or interest to Rotherham.

#### Part 2: Electoral Arrangements

This part of the Act provides for district councils to opt for all out elections every four years and to apply to the Electoral Commission for ward boundary changes to create single member wards. This part has commenced and is a discretionary provision.

#### Part 3: Executive Arrangements

This part provides for two forms of executive arrangements; an elected mayor; or leader and cabinet. The Act prescribes that the Council must decide which form of leadership it is to have by December 2009 for implementation in 2010.

#### Part 4: Parishes

The Act provides for reorganisation of parishes through Community Governance Reviews. It also provides that some parish councils will have the Power of Wellbeing, subject to meeting certain conditions. Whist this part of the Act has been brought into force, further regulations and guidance are still awaited before all aspects come fully into force. A review of parish councils has started in Rotherham under the provisions of previous legislation and will be completed under the new legislation. The review is expected to be completed by the end of the year.

### Part 5: Co-operation of English Authorities with Local Partners

This part largely relates to Sustainable Community Strategies and Local Area Agreements. The Council is on track with both of these, however, the Statutory Guidance, which the Council must have regard to, was not published until 9<sup>th</sup> July.

The second chapter of this part relates to scrutiny, including “Councillor Call for Action” and scrutiny of partners in the delivery of Local Area Agreement targets. This chapter has not yet commenced. Additionally, the components of “Councillor Call for Action” covering community safety issues is the subject of further consultation by the Home Office as part of the Policing Green Paper. There is still no commencement date for “Councillor Call for Action”, but the Home Office has suggested that it will be the end of the year before they issue guidance. A consultation paper covering scrutiny of partners has been published with a closing date for responses of 30<sup>th</sup> October. A report will be produced in the near future recommending a response.

### Part 6: Byelaws

This part provides that local authorities will be able to make certain byelaws without the requirement for them to be confirmed by the relevant Secretary of State. This part has not yet commenced and is to be the subject of government consultation. Byelaws are also taken forward in the “Communities in Control” White Paper.

### Part 7: Best Value

This part introduces the new “Best Value” regime with the abolition of Best Value Performance Indicators and Best Value reviews. Detailed requirements in relation to the whole of the new Best Value duties are set out in the “Creating Strong, Safe and Prosperous Communities” statutory guidance published on 9<sup>th</sup> July.

This part also includes the new duty to involve that comes into effect from April 2009. The statutory guidance also covers this, which includes commissioning, fair competition and a mixed economy of local services.

### Part 8: Local Services Inspection and Audit

This part rationalises the inspectorates and introduces CAA. The Audit Commission has announced that there is to be further consultation on CAA and that the final framework is now expected to be published in January 2009.

### Part 10: Ethical Standards

The provisions of this part came fully into force in May 2008 with a change of functions for both the Standards Board for England and the Council’s Standards Committee. The requirements of this part have been implemented by the Council.

### Part 11: Joint Waste Authorities

This part has commenced and provides a discretionary power for the Council to establish with others a joint waste authority.

## Part 12: Entities Controlled by Local Authorities

This part makes changes to provisions for “controlled companies” and extends the provisions to other “entities”, where their finances appear within the Council’s accounts. The commencement of this part provides for Orders to be made by the Secretary of State, however, to date, no Orders have been made.

## Part 14: Patient and Public Involvement in Health and Social Care

Requires the creation of a Local Involvement Network for health and social care, which is being implemented in Rotherham.

## Part 16: Miscellaneous

Within this part is provision for delegation of functions to individual members acting wholly within their own wards. These provisions have not yet commenced. The use of discretionary delegation to members is referred to in the “Communities in Control” White Paper, with specific reference to participatory budgeting.

## **Summary of action within Rotherham relating to implementation of Local Government and Public Involvement in Health Act 2007.**

<b>Relevant Part of Act</b>	<b>Implementation in Rotherham</b>
Part 2: Electoral Arrangements	This is being led by the Our Future Group One. Implementation on track. Tim Mumford leading.
Part 3: Executive Arrangements	This is being led by the Our Future Group One. Implementation on track. Tim Mumford/Cath Saltis leading.
Part 4: Parishes	A review of parish councils in Rotherham is underway. The review is due to be completed by the end of the year, under the new legislation.
Part 5: Co-operation of English Authorities with Local Partners	The Sustainable Community Strategy and Local Area Agreement have been refreshed. Scrutiny developing Councillor Call for Action response. CMT paper on the implications of the Policing Green Paper to be produced.
Part 6: Byelaws	Tim Mumford leading.
Part 7: Best Value	Council actively engaged with partners and GOYH in the process of adopting the new national indicators and has conducted an initial assessment of the implications. The performance reporting framework is now being refreshed to adopt a combination of NIIs and key local PIs to represent a balanced view on local progress against our key priorities.

Part 8: Local Services Inspection and Audit	Council responded to the initial CAA consultation in February 2008 and has been assessing the implications for the council and partners. We have successfully negotiated the LAA and MAA which will both feature in the CAA judgements and will be bringing a further report to CMT when the next consultation document is published.
Part 10: Ethical Standards	Requirements implemented by the Council
Part 11: Joint Waste Authorities	Barnsley, Doncaster and Rotherham are currently working together to identify a joint waste disposal site which is out to consultation. This is not currently a proposal for a joint Waste Authority.
Part 14: Patient and Public Involvement in Health and Social Care	Rotherham creating a Local Involvement Network for health and social care.

### **“Strong and Prosperous Communities” White Paper October 2006**

Significant components of the White paper not yet implemented nor included in the Local Government & Public Involvement in Health Act, together with current status.

#### Chapter 2: Responsive Services & Empowered Communities

- **Extending choice for individuals and families in local services** - Free nursery entitlement up to max of 15 hrs p/week but no date;
- **Choice based lettings** – taken forward in “Communities in Control”;
- **Social care - expanding scope of direct payments** – referred to in “Communities in Control”, also included in other government actions;
- **Providing better and more timely information on local services** – taken forward in “Communities in Control”;
- **Publish annual report on LG performance against all national outcome indicators** - relates to Place Survey – expected to be reported in 2009;
- *Encourage LSPs to provide reports on progress against SCS & LAA* - covered in “Creating Strong, Safe and Prosperous Communities” statutory guidance – published 9<sup>th</sup> July 2008;
- **Empowering citizens and communities** – duty to involve April 2009, also taken forward in “Communities in Control”;
- **Development of Local Charters for neighbourhoods** - taken forward in “Communities in Control”.

#### Chapter 3: Effective, Accountable and Responsive Local Government

- **More diverse and representative Councillors** – Councillor’s Commission reported recommendations. Provisions taken forward in “Communities in Control”.

#### Chapter 4: Stronger Cities, Strategic Regions

- **Devolve powers and resources - to regions and local authorities in cities and elsewhere** – sub national review consultation undertaken – legislative provision to be included in forthcoming “Community Empowerment, Housing and Economic Regeneration Bill”;
- **Establishment of statutory city-regions for transport and economic development** – provisions for statutory “Intergrated Transport Authroties” (ITLs) included in the Local Transport Bill currently before parliament. Proposed legislation would provide that statutory city-region authroties would provide the functions of ITLs.

#### Chapter 5: Local Government as a strategic leader and place-shaper

- **Improve and integrate strategic planning procedures** – Planning Bill currently before parliament.

#### Chapter 8: Community cohesion

- **Embed cohesion in overview & scrutiny activity, consultation to come on new Overview and Scrutiny Guidance** – no consultation yet;
- **Supporting local authorities to respond to immigration** – no detail.

Much of this is being taken forward by the “Communities in Control” White Paper, however, there are a number of issues in the section above which are not covered by “Communities in Control” and implications of those are summarised as follows:

- The Rotherham Partnership has refreshed it's SCS to which the LAA is aligned and will continue to provide regular progress reports to the LSP and GOYH as part of it's agreed performance management framework ;
- Rotherham is actively involved in work on both a regional and city-regional level to develop structure which will take forward the devolvement of powers and resources agenda via the Sub National Review.
- Sheffield City Region is not pursuing the establishment of a statutory organisation for transport and economic development currently but is focusing on the effective use of MAAs as a tool to achieve joint objectives.
- Proactive work has been undertaken in Rotherham in terms of the Community Cohesion agenda and in particular the IDEA guidance on this issue has been followed and implemented as much as possible locally.

Overall progress on implementing the Council's workstreams is contained in the Council's Implementation Plan. The full version is available in the Intranet Resource Library at:

<http://intranet.rotherhamconnect.com/C9/C18/LG%20White%20Paper/Communities%20in%20Control%20White%20Paper/JULy%2008%20Special.pdf>

## **8. Finance**

Most of the Government's proposals arising from the Strong and Prosperous Communities White Paper and the 2007 Act were assessed as cost neutral by Regulatory Impact Assessment, efficiencies meeting new costs or by the Government transferring funds as has been the case with LINKs.

Issues around the expectations on participatory budgeting etc are expected to be about how the Council prioritises and allocates funds rather than growth budget items. Additionally, issues covering strategic commissioning and developing local markets will have an impact.

Final statutory guidance covering commissioning was published on 9<sup>th</sup> July. The national Participatory Budgeting Strategy is still awaited.

The Council will need to remain alert to cost implications of the Government's reforms and incorporate into the Medium term Financial Strategy.

## **9. Risks and Uncertainties**

The RMBC Implementation Plan provides for risk assessments against each workstream in the plan.

The Council has made good progress in addressing each of the workstreams, reducing risk to the Council to a minimal level.

Existing project groups taking forward "Our Future" are addressing the implementation of relevant aspects of the reform agenda and legislative requirements.

The greatest level of uncertainty relates to those aspects of the 2007 Act that have not yet commenced and where the commencement date is not yet known. These are issues beyond the Council's control, but are regularly monitored and updated in the RMBC Implementation Plan.

## **10. Policy and Performance Agenda Implications**

"Strong and Prosperous Communities"; together with other papers on housing; planning; transport; and skills provide the overarching government policy framework for local government. The Local Government & Public Involvement in Health Act 2007, together with the Housing and Regeneration Act 2008 (c. 17) and current Bills on planning, local transport and Education and Skills provide the legislative framework for much of the Government's policy implementation.

The 2007 Act introduces the new "Best Value" regime including 198 national indicators; Sustainable Community Strategies (SCS); Local Area Agreements (LAA); and Comprehensive Area Assessment (CAA).

The LAA has been successfully negotiated and the Community Strategy refreshed.

The Audit Commission have announced that there is to be further consultation on CAA, with the final framework to be published in January 2009, which is not helpful in preparing for the lead-in. However, the LGA and I&DeA are to publish a toolkit for the CAA self assessment, and are suggesting that Councils should undertake a dry-run ahead of the final CAA framework being published.

Meeting the milestones within the Implementation Plan for the Local Government reform agenda is a Year Ahead commitment for 2008 (number 7).

## **11. Background Papers and Consultation**

Principal background papers associated with this report are:

“Strong and Prosperous Communities” White Paper

“Local Government & Public Involvement in Health Act 2007 (c. 28)”

The full range of background papers is available in the Intranet Resource Library at:

<http://intranet.rotherhamconnect.com/C9/C18/LG%20White%20Paper/default.aspx>

### **Contact Name :**

Steve Eling, Principal Policy Officer, extension 2789, [steve.eling@rotherham.gov.uk](mailto:steve.eling@rotherham.gov.uk)

**ROOTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>Performance and Scrutiny Overview Committee</b>
<b>2.</b>	<b>Date:</b>	<b>26<sup>th</sup> September 2008</b>
<b>3.</b>	<b>Title:</b>	<b>Local Government Reform – Communities in Control White Paper and the forthcoming Community Empowerment, Housing &amp; Economic Regeneration Bill</b>
<b>4.</b>	<b>Directorate:</b>	<b>Chief Executive's</b>

### **5. Summary**

This report is the second of two interrelated reports covering “Communities in Control – Real People – Real Power”, the latest local government white paper.

The report builds on the progress to date in implementing the “Strong & Prosperous Communities” White Paper and the Local Government & Public Involvement in Health Act 2007, adding workstreams and actions to the Council’s implementation plan to address the latest developments.

### **6. Recommendations**

**That PSOC:**

- a) Note the proposals set out in the “Communities in Control” White Paper;**
- b) Agree the workstreams for inclusion in the Council’s Local Government Reform Implementation Plan**
- c) Note that a Members Seminar to present the Government’s proposals set out in “Communities in Control” will be held on 23<sup>rd</sup> September;**
- d) Refer this report to the Our Future Groups 1 and 3 and the relevant workstreams to Groups 2, 4 and 5;**

## 7. Proposals and Details

The Government published its awaited Empowerment White Paper “Communities in Control” on Wednesday 9<sup>th</sup> July. The White Paper takes forward and develops further a number of the commitments made in the Strong and Prosperous Communities White Paper, published in October 2006; the Governance of Britain Green Paper, published in July 2007; and actions being piloted in the Action Plan for Community Empowerment, published in October 2007.

The White Paper is divided into eight chapters, each of which is accompanied by an action plan of specific commitments. This report gives a brief overview of those commitments. Further detail is available in a “Policy Briefing Special”, which is available in the Intranet Resource Library at:

<http://intranet.rotherhamconnect.com/C9/C18/LG%20White%20Paper/Communities%20in%20Control%20White%20Paper/JULY%2008%20Special.pdf>

Government commitments included in the “Communities in Control” action plan have been incorporated in the Council’s Local Government Reform Implementation Plan.

Key points from “Communities in Control” are:

### Chapter 1: The case for people and communities having more power

- New duty to promote local democracy on local authorities;
- Better information for communities in council publications and on websites about political control, council meetings, councillors’ surgeries and how to become involved;
- Young people with a more positive experience of voting including youth parliaments and school councils;
- Explaining to all communities how to be a councillor or take up other civic roles;
- Allowing councillors to hold surgeries on council premises and political parties to hire council premises for meetings and events where this is currently prevented;
- Training front-line staff so that they can answer simple questions from the public about the local democratic system;
- Promoting local democracy through programmes such as ‘Civic Champions’ or ‘Democracy Advocates’;
- Co-ordinated targeting of groups not well represented among councillors;
- Working with the third sector and local employers; and
- Duty to involve extended to other named public bodies.

### Chapter 2: Active citizens and the value of volunteering

- Place value on the role of volunteering, with an emphasis on involving young people;
- Link between volunteering and learning and work;
- An independent review to look at the position of citizenship education, as part of the wider review of the education curriculum;

- Citizenship learning for adults including supporting a “Take Part local pathfinder programme”, offering information and training on how to be an active citizen;
- Support for innovative community leadership programmes, including providing funding through the new Empowerment Fund;
- Enabling community organisations to make a step change in their activities, supported by a £70 million “Communitybuilders” fund;
- Grassroots Grants dispersing from an £80m fund from 2008 to 2011;
- The role of inter-faith and faith based groups and the launch of an Inter-faith Strategy; and
- Supporting communities in tackling climate change

#### Chapter 3: Access to information

- The Government sets out their intention to empower people through the provision on information through the media and on-line; and
- The paper notes a correlation between social and digital exclusion in relation to accessing information and pledges to address this.

#### Chapter 4: Having an influence

- A statutory duty to respond to petitions including for services provided jointly with other agencies;
- Government to work with key inspectorates to encourage them to consider petitions as important pieces of evidence to determine when inspections must take place;
- “Calls for Action” Home Office to undertake further consultation;
- National Strategy on participatory budgeting to be published;
- Local authorities to do more to increase voter participation at local elections;
- Promoting parish or community councils;
- Powers to make byelaws;
- Role of neighbourhood management in tackling crime and anti-social behaviour;
- “Community Justice”, involving dialogue with the community on the impact of local crime and anti-social behaviour, and reporting of actions taken by the court, with people having the opportunity to propose projects for payback activities;
- Regional Improvement and Efficiency Partnerships and the Regional Empowerment Partnerships to ensure empowerment is taken account of in improvement and efficiency work;
- Tenant empowerment – Tenant Management Organisations etc;
- A review of older people’s engagement with Government;
- Specific proposals for young people including: “Young advisors” to government; a national institute for youth leadership; and a Youth Sector Development Fund.

## Chapter 5: Challenge

- Community and local authority scrutiny to hold decision makers and service providers to greater account;
- New approaches to scrutiny including more creative involvement of the public;
- Chief Officers and chairs of public bodies will be open to public scrutiny;
- Accountability of police and health services;
- Promotion of directly elected mayors; and
- Making it easier for local communities to call for an elected mayor.

## Chapter 6: Redress

- Review of the jurisdiction of the Local Ombudsman;
- “Community Contracts”
- “Community Pledgebanks”; and
- Introducing and extending the idea of redress for citizens

## Chapter 7: Standing for Office

- Removing the political restrictions preventing local government officer above a specified grade from standing for election and holding office;
- A taskforce has been established by the Government to help more black, Asian and minority ethnic women to become councillors;
- Work to provide a positive image for councillors including proposals to consult on potential changes to the Publicity Code;
- Delegating discretionary localised budgets for councillors to allocate to local groups or services;
- Legislating to enable councillors with caring responsibilities and others to use information and communication technology to participate in meetings and vote remotely;
- Recognising the contribution of former councillors, and encourage their continuing involvement through existing powers to create Aldermen but also through new powers enable the use of the title of “Alderwoman”.
- Consultation on extending the public bodies that qualify for time off work;
- Work with local government and employer organisations including the Confederation of British Industry and the Trade Union Congress to produce an information pack for employers on civic roles;
- Recognising the role the private sector has in supporting empowerment by sponsoring an ‘Award for Excellence’ run by Business in the Community; and
- Undertake a review to find out what relevant qualifications and modules exist to enable the accreditation of councillors.

## Chapter 8: Ownership and Control

- A new Social Enterprise Unit that will champion the role of social enterprise models;
- Encouraging local authorities to ensure that social enterprises are able to compete fairly for contracts;
- Issuing guidance on how to consider social issues in procurement policy; and

- Government Departments to ensure that procurement processes do not unfairly disadvantage social enterprises

Much of the finer detail is still to be announced, including several consultations. New legislation will be required to implement some of the proposals. It is envisaged that this will be taken forward in the forthcoming “Community Empowerment, Housing and Economic Regeneration Bill”, announced for presentation in the next parliamentary session. It is this Bill that will also take forward the legislative requirements of the “Strong Cities – Strategic regions” chapter of the “Strong and Prosperous Communities” White Paper.

At the headline level, the main elements of the Bill have been announced as:

- Empowering communities and individuals by involving them in the design and delivery of local public services and other measures designed to promote local democracy and larger numbers of active citizens, possibly including giving individuals a right of response from their local authority to local petitions;
- Extending the powers of the new social housing regulator, to apply to local authority landlords (subject to the new regulator being established by the Housing and Regeneration Act 2008);
- Implementing recommendations from the review of sub-national economic development and regeneration to streamline regional governance, integrate Regional Economic and Spatial Strategies, Regional Development Agencies (RDAs) statutory planning bodies and enable RDAs to delegate their single pot funding to local authorities where appropriate;
- Strengthening the role of local authorities in promoting and delivering economic development, including, subject to consultation, implementing a proposed new statutory duty on local authorities to assess local economic conditions, and supporting greater collaboration between local authorities in this area, including, subject to consultation, the potential to develop statutory partnerships;
- Implementing recommendations from Lord Sharman’s report to give the Audit Commission a power to appoint an auditor to certain local government entities, and to issue a public interest report about those entities if appropriate; and
- Improving the operation of construction contracts.

To address the issues arising from the new proposals as set out in the White Paper, new workstreams have been incorporated in the Council’s Local Government Reform Implementation Plan.

The workstreams follow from those set out in the White Paper, with the Government’s proposed actions and are being developed to include proposed actions and responses from the Council. The inclusion of the new workstreams within the existing implementation plan enables the Council to maintain a seamless approach to addressing the reform agenda. The workstreams are set out below and include lead Directorate and lead officer together with current status and identification of relevant “Our Future” groups.

Ref	Workstream	Issues, timing, actions	Lead	Our Future
2.2a	Choice based lettings	Expansion of programme with an extra £2m until 2010 to give more tenants more choice over where they live.	NAS Michelle Musgrave	3
2.4b	Extension of duty to involve	The current duty will be extended to new agencies and bodies.	CXD Julie Slatter	3
2.4c	Duty to promote Democracy	Will be included in the Community Empowerment, Housing & Economic Regeneration Bill	Tim Mumford	1
2.4d	Empowering the Frontline Taskforce	To consider the role of the public sector workforce in empowering users and residents. Detail to be announced in the autumn.	NAS Michelle Musgrave	3
2.4e	Empowerment Fund	At least £7.5m to be reinvested to support existing third sector national organisations. Unknown impact locally.	NAS Michelle Musgrave	3
2.5b	Supporting local authorities to make their data more available	Gov working with LGA to identify pilot areas in autumn 08	CXD Tracey Holmes	3
2.5c	Places Database	Making the Places Database public – autumn 08 (Government action only). Need to be monitored	CXD Miles Crompton	3
2.5d	Digital Mentor Scheme	Pilots in deprived areas to improve general literacy in Information and Communications Technologies. (2009)	Adult Learning	3
2.5e	Innovation in new technologies	Supporting range of innovation including deliberative engagement with government or innovation in community and social media. (Spring 2009)	CXD Julie Slatter	3
2.9a	Duty for Councils to respond to petitions	Councils will have to respond to petitions (including electronic petitions)	Tim Mumford	1 & 3
2.10a	Local Government Ombudsman	The jurisdiction of the LGO will be Reviewed (summer 08)	Tim Mumford	1

2.10b	Redress Review	To look at redress arrangements across the public sector (early 09)	Tim Mumford	1
2.12b	Participatory budgeting	Publication of a National Strategy (autumn 08)	NAS Michelle Musgrave	3
2.12c	Community safety participatory budgeting pilots	Consideration of whether money recovered from criminals can be used in this way. Arises from Policing Green Paper	NAS Michelle Musgrave	3
2.12d	Community Contracts	Extension of the current pilots for six Months. No indication of future action.	NAS Michelle Musgrave	3
2.12e	Community pledgebanks	Establish pilots to look at how community pledgebanks can help deliver local priorities (2009)	NAS Michelle Musgrave	3
2.12f	Asset Transfer Unit	Unit to provide information and expertise on transfer to community management of assets or ownership (autumn 08)	EDS Ian Smith	3
2.12g	Community Land Trusts	Community Land Trusts effective in securing future of community assets (consultation – winter 08)	EDS Ian Smith	3
2.15a	Right to appeal decisions on establishing local (parish) councils	Right of appeal where a community's proposal to establish a local council is not agreed	Tim Mumford	1 & 3
2.16a	Take Part local pathfinders	Pilot programme. Set up December 08, delivery from January 09.	NAS Michelle Musgrave	3
2.16b	Communitybuilders Fund	£70m investment in community led organisations across England (2010/11)	NAS Michelle Musgrave	3
2.17a	Expanding the role of Local Involvement Networks (LINKs)	Pilots invited to expand remit beyond health and social care July 08-May 2010.	CXD Julie Slatter	3
3.2a	Positive image of councillors	Consultation on the Code of recommended practice on local government publicity to be published at end of September 08	CXD Tracy Holmes	3
3.2b	Remote voting	Enabling councillors to participate in meetings and votes remotely.	Tim Mumford	1

3.2c	Time off for public duties	Consultation on extending the right to time off to more roles. Summer 08, effective April 09	HR Phil Howe	5
3.2d	Employers' information pack	Government action – spring 09	HR Phil Howe	5
3.2e	Information on civic roles	Make it easier for people to find information on ways to be active in civic roles in their communities (summer 09)	CXD Cath Saltis	1 & 3
3.2f	Review of accreditation for civic roles	Find out what relevant qualifications and modules exist to see what could be repackaged or built upon (autumn 08 – programme of accreditation summer 09)	CXD Cath Saltis	1
3.2g	Amendment to Widdicombe rules	Changes to rules on politically restricted posts	HR Phil Howe	5
3.3a	Bye-laws	Consultation to be published August 08	Tim Mumford	1
3.5a	Directly elected mayors	Consultation mid September 08	Tim Mumford	1
3.7a	Higher visibility of Overview and Scrutiny	Consultation published 7 August – closing date for responses 30 October.	CXD Cath Saltis	1 & 3
3.7b	Councillor Call for Action	Guidance on promoting the powers for Councillors - end 08	NAS Michelle Musgrave	3
3.7c	Scrutiny of public officials	Consultation published – closing date 30 October	Tim Mumford	1
3.9c	Voting incentives	Local authorities to provide voting incentives in local elections	Tim Mumford	1
3.9g	Empowering young people	Series of action around young people empowerment. Rotherham actions closely align.	C & YP Simon Perry	3
4.8a	Social Enterprise Unit	New unit in CLG to be launched autumn 08	CXD Julie Slatter	3
5.1a	Planning	Up to £6.5m to further assist community involvement in planning 09 - 2011	EDS Paul Woodcock	3
7.10	Service transformation and efficiency	Embed empowerment in projects supported by £115m capital funds for efficiency and service transformation – 2008 / 2011	CXD Tim Littlewood	4

The workstreams are under constant review and also will be further developed when the final details of the Community Empowerment, Housing and Economic

Regeneration Bill are known. Several existing workstreams also relate to the detail to be set out in the Bill. The full implementation plan is available in the Intranet Resource Library at:

<http://intranet.rotherhamconnect.com/C9/C18/LG%20White%20Paper/Communities%20in%20Control%20White%20Paper/JULy%2008%20Special.pdf>

## **8. Finance**

There will be increased costs associated with implementing the Government's proposals, however, the Government is committed through the "Central / Local Concordat", agreed with the Local Government Association, to "ensuring that public services, including new obligations imposed on councils, are properly funded". New costs have been identified by a Regulatory Impact Assessment indicating a one off cost of £2.94 million and annual costs of £92.09 million across England. It is not possible at this stage to identify the direct financial implications for Rotherham.

## **9. Risks and Uncertainties**

The RMBC Implementation Plan provides for risk assessments against each workstream in the plan.

Existing project groups taking forward "Our Future" are addressing the implementation of relevant aspects of the reform agenda and legislative requirements.

Whilst the Government is committed to meeting the costs of new burdens, there is a risk that additional income to the Council via the grant formula will not cover the actual costs of implementing the new requirements across the Borough.

## **10. Policy and Performance Agenda Implications**

The overall policy agenda continues to take forward the Government's "Ten Year Vision for Local Government", published in July 2004. A considerable bank of policy documents has been produced to support this.

Empowerment of young people features highly in "Communities in Control" and takes forward "Aiming High for Young People: A Ten Year Strategy for Positive Activities" published in July 2007. This document has now been placed in the Council's Resource Library at:

<http://intranet.rotherhamconnect.com/C9/C18/LG%20White%20Paper/Communities%20in%20Control%20White%20Paper/Aiming%20High%20for%20Young%20People%20ten%20year%20strategy%20July%2007.pdf>

The new performance regime has been introduced by the Local Government & Public Involvement in Health Act 2007, which will follow through the new proposals through the duty to involve. Efficiency continues to be a target, with resources being invested through Regional Improvement and Efficiency partnerships relating to empowerment.

The Government has completed an Equality Impact Assessment for “Communities in Control”. It identifies overall positive impacts but does identify some risks and uncertainties. The Council will need to be alert to these as detailed proposals and actions are developed.

Meeting the milestones within the Implementation Plan for the Local Government reform agenda is a Year Ahead commitment for 2008 (number 7).

## **11. Background Papers and Consultation**

Principal background papers associated with this report are:

“Communities in Control” White Paper

The full range of background papers is available in the Intranet Resource Library at:  
<http://intranet.rotherhamconnect.com/C9/C18/LG%20White%20Paper/default.aspx>

Directorates have consulted as part of identifying new actions in the implementation plan. The Council will ensure that appropriate responses are produced to Government consultations.

### **Contact Name :**

Steve Eling, Principal Policy Officer, extension 2789, [steve.eling@rotherham.gov.uk](mailto:steve.eling@rotherham.gov.uk)

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>PSOC</b>
<b>2.</b>	<b>Date:</b>	<b>26<sup>th</sup> September 2008</b>
<b>3.</b>	<b>Title:</b>	<b>Improving Local Accountability – Government Consultation</b>
<b>4.</b>	<b>Directorate:</b>	<b>Chief Executive's</b>

### **5. Summary**

Both the Local Government and Public Involvement in Health Act 2007 (c. 28) and the White Paper “Communities in Control: Real People, Real Power” make new provisions for the role of scrutiny.

This report provides details of a consultation paper issued by the Government and a recommended response to the questions raised. Issues covered in the consultation are:

- Developing and strengthening overview and scrutiny;
- Increasing the visibility and accountability of local public officers; and
- Facilitating the work of councillors.

The closing date for responses is 30<sup>th</sup> October 2008.

### **6. Recommendations**

**That PSOC:**

- a) Consider the issues arising from the consultation paper;
- b) Consider the draft responses to the questions raised in the consultation paper;
- c) Agree a response to the Government from the Council.

## 7. Proposals and Details

Both White Papers, “Strong and Prosperous Communities”, published in October 2006; and “Communities in Control”, published in July 2008 provide for new and developing roles for scrutiny and members more generally, with Scrutiny being seen as having a key role in holding decision makers to account.

The Local Government and Public Involvement in Health Act 2007 (c. 28), (the 2007 Act) took forward some of the proposals set out in “Strong and Prosperous Communities”, providing statutory duties and powers for scrutiny in relation to “Councillor Calls for Action” and scrutiny of partner organisations in relation to agreed Local Area Agreement targets. Other proposals have been further developed and included In “Communities in Control” as part of the Government’s community empowerment agenda.

The Government has committed to consult on draft Regulations and Guidance arising from the 2007 Act and proposals in “Communities in Control” resulting in a series of consultation papers. The latest, “Improving local accountability” takes forward aspects of both the 2007 Act and “Communities in Control”, particularly:

- Developing and strengthening overview and scrutiny;
- Increasing the visibility and accountability of local public officers; and
- Facilitating the work of councillors.

The consultation is open for response until 30<sup>th</sup> October. Details of each section of the consultation paper follow together with the questions asked and recommended responses.

### **Developing and strengthening overview and scrutiny**

This section of the consultation covers proposals for Regulations under the 2007 Act focusing on those powers to make regulations in relation to the scrutiny by council overview and scrutiny committees of LAA partners and their delivery of LAA improvement targets. In particular on the power to make regulations in respect of:

- Overview and scrutiny committees’ requiring information from partner authorities;
- Publication of scrutiny reports, recommendations and responses;
- Establishment of joint county and district overview and scrutiny committees;
- Enhancing the powers of district overview and scrutiny committees; and
- Scrutiny in small district councils operating a streamlined committee system.

Only the first two points and the consultation questions arising are relevant to Rotherham.

In taking forward the Regulations and Guidance, the Government have stated their intention is to achieve an appropriate balance between providing a sufficiently robust regulation based framework so that councils have the powers they need, and equally ensuring that councils, their overview and scrutiny committees, and local partners have that local flexibility necessary both to allow for innovation and for overview and scrutiny effectively to serve and empower local communities. They are also

proposing that wherever possible guidance should take the form of sector led best practice guidance.

Requiring information from partner authorities

This provision is about the information (other than information about policing or local health services for which separate provision is made) which the partners in a LAA should make available to overview and scrutiny committees of that LAA's lead council.

It is proposed that in the context of an agreed LAA, guidance should reflect the expectation that a partner will make available to the lead council's overview and scrutiny committee such information as it may request for the purposes both of examining progress on any LAA target with which the partner is concerned and of undertaking studies of local issues connected to such a LAA target. The Government also expect that wherever practicable partners should provide such overview and scrutiny committees with other information they might have which the committee has requested as facilitating its work more generally. Committees would be expected to ensure that any requests for information are well focused and thought through; to not unduly burden partners; avoid duplication; and any unnecessary requests.

The proposed Regulations may set out information that must be disclosed and that which may not be disclosed by partner and associated authorities to overview and scrutiny committees, taking account of data protection etc.

It is proposed that partner authorities must provide information where that information:

- Is information in relation to any target which relates to that partner;
- Relates to an agenda item of the overview and scrutiny committee concerned; and
- Has been requested by that overview and scrutiny committee.

The Government do not propose to specify in regulations any time limits for responses by partner or associated authorities or the format of any such response

**Consultation Question:** Do you agree with our proposed approach in relation to overview and scrutiny committees requiring information from partner authorities?

**We agree with the proposed approach in requiring information from partner authorities but would suggest a time limit for responses of 20 days, consistent with proposals to be used in “Calls for Action”.**

Publication of scrutiny reports, recommendations and responses

The 2007 Act strengthened the existing powers of overview and scrutiny committees by enabling them to require a response from the local authority or the local authority's executive to a scrutiny report or recommendations.

The provision provides that where committees publish their report or recommendations, the authority or executive must also publish their response.

Additionally, where a committee has provided a copy of its report or recommendations to a council member or partner, the executive or authority must also provide a copy of their response.

An overview and scrutiny committee or a local authority, in publishing these documents, or providing copies of these documents to local authority members or partners, will be required to act in accordance with the new section 21D of the Local Government Act 2000 (as will be inserted by the 2007 Act). This section details circumstances in which confidential information and any relevant exempt information must or may be excluded. This provision will extend to the overview and scrutiny committee and local authority only, and the Government propose to make regulations to extend these provisions without modification to local authority executives where they also publish or provide copies of such documents.

**Consultation Question:** Do you agree with the proposal to apply the provisions in relation to exempt and confidential information without modification to local authority executives?

**We agree with the proposals in relation to exempt and confidential information. We also consider that there should be a requirement to respond to scrutiny report within two months. This would fit with the current practices in Rotherham.**

#### Taking forward the 2008 White Paper commitments

The “Communities in Control” White Paper sets out proposals to enhance the power of citizens and make public institutions more accountable. It recognises that the current overview and scrutiny arrangements provide a number of ways in which local people can become involved in holding local decision-makers to account, and seeks to raise the visibility of these current arrangements. The new duty to promote democracy is designed to help make overview and scrutiny more visible and accessible by encouraging councils to be more innovative about the way they promote local participation.

In raising the profile of the overview and scrutiny function in local authorities, the Government want to ensure that scrutiny committees have the necessary capacity and powers to respond to the greater public interest. Building on the 2007 Act provisions, it is intended to further strengthen the scrutiny function by extending the power to require information from partner authorities to matters outside LAA targets.

To further the support for scrutiny, the Government intends to require some dedicated scrutiny resource. An option for how this could be achieved is through making similar provision to that for monitoring officers.

The white paper also proposed a new duty on local authorities to respond to all petitions, including electronic petitions, relating to local authority functions or other public services where the local authority shares delivery responsibilities. The Government has previously consulted on petitions and calls for action.

The Government wants to ensure that local authorities take petitions seriously, and will ensure that petitioners can appeal if they are not satisfied with their response. If the appeals body judges that a local authority's response was not adequate they could trigger a debate of the full council. Overview and scrutiny committees are considered to be well-placed to consider appeals when petitioners are not satisfied with the local authority response. They therefore propose that appeals about a local authority's response to a petition should be considered by the overview and scrutiny committee.

**Consultation Question:** What issues should be considered as part of any new power to establish area scrutiny committees?

**We are not in favour of the establishment of area scrutiny committees. We consider that the current scrutiny committee arrangements are adequate for the future demands of scrutiny.**

**Consultation Question:** How might the requirement for dedicated scrutiny resource be put into practice?

**We support the proposal for the establishment of a statutory scrutiny officer, however, the detailed level of resource used in each authority should be a matter for local discretion.**

**Consultation Questions:** Do you agree that appeals about a local authority's response to a petition should be considered by the overview and scrutiny committee?

What practical issues might arise?

**We agree that appeals about a local authority's response to a petition should be considered by scrutiny.**

**There should be clarity over processes required before an appeal is referred to scrutiny. This could be set out in guidance for the purposes of consistency in application.**

### **Increasing the visibility and accountability of local public officers**

#### **Holding local public officers to account**

The ability to hold to account those who hold power locally is a key component of the "Communities in Control" White Paper, raising the visibility of local public officers so that they are all open to public scrutiny and questioning from local communities through:

- Chairs and chief executives of local public bodies attending regular public hearings: and
- A new right for people served by local service providers and agencies to petition to hold local officers to account.

Without cutting across established lines of accountability, including the democratic accountability of councillors to local electors the White Paper proposes that local

people would be more empowered if they have direct means of being able to influence local decisions, and a means by which local decision takers can explain their decisions to the local communities affected by them.

The White Paper seeks to bring consistency across the range of local public services by proposing that a key part of the role of a chair or chief executive of a local public body should be that they attend a regular public hearing to explain their actions and decisions and to listen to the views and concerns of local people. It is suggested that a public hearing may be a public meeting or forum where local people are able to receive information about the recent work of the local public body and have the opportunity to ask questions or raise issues of importance, held every three to four months. The requirement to attend such meetings should be reflected in the job descriptions of the chair or the chief executive,

**Consultation Question:** Do you agree with this approach that those responsible for the job descriptions should determine the precise arrangements by which the chair or chief executive will attend regular public meetings?

**We agree with the approach to including accountability in the job description and responsibilities of relevant chair of officers.**

**We are not convinced of the requirement for the process of meetings. We consider that existing arrangements for engaging the public plus those being developed as part of the “duty to involve” should be capable of satisfying the objective. The role of scrutiny in holding such chairs and officers to account also needs to be recognised in this process.**

The White Paper also proposes a new right for people to petition to hold local officers to account whereby if enough people served by a local service or agency sign a local petition, then senior officers working for that local public body should be required to attend a public meeting.

The Government are proposing that in each LAA area, the lead council with its strategic partners, including local service providers and agencies, should be required to agree and publish locally a scheme for petitions to hold local officers to account.

As a minimum, they would expect such a scheme to set out:

- The officers (or category of officers) to whom the scheme would apply locally;
- Any relevant petition criteria, such as agreed thresholds, who may sign a petition;
- The format a petition must take;
- The local service providers and agencies covered by the agreed scheme and how they will respond to petitions; and
- Arrangements for the hearing.

It would be open for Government to specify certain minimum standards for the various elements of the scheme. Such minimum standards might include the timescale by which such schemes should be in place, specified local officers or categories of officers, and specified local service providers and agencies which must be covered by a scheme.

One option for defining such officers in local government could be to specify that in addition to the chief executive, the scheme would apply to “statutory officers” and/or “non-statutory chief officers” as defined in the Local Government and Housing Act 1989.

**Consultation Questions:** Do you agree with our proposals to require the local authority with its strategic partners to agree a local scheme for petitions to hold officers to account?

What practical issues might arise?

**We agree with the proposals to require the local authority with its strategic partners to agree a local scheme for petitions to hold officers to account.**

**Guidance to Local Strategic Partnerships would be helpful.**

**Consultation Question:** Should the Government provide some minimum standards for local schemes to hold officers to account? What should they be?

Which, if any, local service providers and agencies must, or must not be in any scheme?

**The Government should provide some minimum standards to support the development of locally agreed protocols. We believe that these should involve all agencies covered by the duty to co-operate.**

The Government propose that it will be for a local authority and its partners, including local service providers and agencies to agree to which of them the scheme should apply, subject to any statutory minimum standards.

**Consultation Question:** Do you agree that the scope of the scheme should be agreed locally subject to any statutory minimum standards and whether this would be an effective means of empowering communities?

**Yes, as above.**

### **Facilitating the work of councillors**

The report of the Councillors Commission “Representing the future”, included the recommendation that Government should introduce legislation in order to enable involvement in meetings including, but never limited to, voting, without the need to attend in person. The Government response agreed with this recommendation.

Following this, the Government are proposing to legislate to allow authorities to modify their attendance and voting procedures as necessary to allow remote voting. They envisage that, apart from certain members not being physically present, meetings and votes would continue essentially in the same manner as they did when members were physically present at meetings and votes. This would extend to the public having the same ability to witness proceedings.

It would be for the authorities to decide how much or how little use they wished to make of remote attendance and voting and to consider matters of security and propriety. It is envisaged that in resolving to modify their attendance and voting procedures – most probably through an amendment to the authority's standing orders, the authority will in effect have to 'opt-in' to remote attendance and voting and, in doing so, will demonstrate that it has positively considered the effect and consequences of remote attendance.

There would be some basic requirements associated with these proposals. Firstly, that at least one member must be physically present at the meeting and that person must be in audio contact with any member attending remotely, with or without a video link. In addition members of the public physically present at the meeting must be able to witness what is happening, at least through audio contact. If the opportunity for the public to participate in the meeting is available, this must be provided for and remote attendees must be able to hear the contributions.

The legislation would contain safeguards to ensure that those attending remotely must be able to participate in and listen to the meeting when and as required.

**Consultation Question:** Do you agree with the proposed approach?

**We are not convinced that remote participation in meetings will provide the same dynamics of discussion or quality of decision making.**

## **8. Finance**

There are no direct financial implications arising from this report, however, the Government recognises that there will be financial implications arising from the introduction of their proposals in the "Communities in Control" White Paper.

The Government recognise that there will be cost implications arising from the proposals for petitions.

A regulatory Impact Assessment for "Communities in Control" has been produced by the Government. This is referred to in the "Local Government Reform – Communities in Control report elsewhere on the agenda.

## **9. Risks and Uncertainties**

The Council is managing risk and uncertainties through RMBC Implementation. This provides workstreams for all detailed proposals and implementation.

The workstreams relating to the role of scrutiny are incorporated in the plan and are regularly updated as details and implementation proposals are developed.

## **10. Policy and Performance Agenda Implications**

The proposals and questions set out in this consultation form a part of the Government broader policy direction for local government and reform agenda. They take forward proposals set out in "Strong and Prosperous Communities", to be

implemented by chapter 2 of part 5 of the Local Government and Public Involvement in Health Act 2007, together with more recent development announced in "Communities in Control", published in July 2008.

## **11. Background Papers and Consultation**

"Strong and Prosperous Communities" White Paper

The Local Government and Public Involvement in Health Act 2007 (c. 28)

"Communities in Control" White Paper

"Representing the future" report of the Councillors' Commission

"Local Petitions and Calls for Action" consultation paper

"Improving Local Accountability" consultation paper

The full range of background papers is available in the Intranet Resource Library at:

<http://intranet.rotherhamconnect.com/C9/C18/LG%20White%20Paper/default.aspx>

### **Contact Name :**

Steve Eling, Principal Policy Officer, extension 2789, [steve.eling@rotherham.gov.uk](mailto:steve.eling@rotherham.gov.uk)

Cath Saltis, Head of Scrutiny Services

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>Performance and Scrutiny Overview Committee</b>
<b>2.</b>	<b>Date:</b>	<b>26<sup>th</sup> September, 2008</b>
<b>3.</b>	<b>Title:</b>	<b>Policy Review 2008</b>
<b>4.</b>	<b>Directorate:</b>	<b>Chief Executive's</b>

### **5. Summary**

This report provides for the next stage of policy review including policies recommended for refresh/review in 2008; a new process of monitoring the effectiveness and impact of policies using the new National Indicator Set and other local measures; and proposals to create an Electronic Policy Library for the publication of policies.

### **6. Recommendations**

That PSOC agree:

- a) The policies recommended in the report for refresh/review in 2008;**
- b) That the National Indicators aligned to policies as set out in the Policy Framework Map together with any relevant local indicators and qualitative assessment be used for monitoring the impact of the policies selected;**
- c) That the policies to be monitored be those with national indicators aligned plus cross-cutting and corporate policies;**
- d) That monitoring be reported half yearly, with the first report being presented in the autumn;**
- e) That a “Electronic Policy Library” be created for the publication of policies on the Council’s web site; and**

## 7. Proposals and Details

Policy review in Rotherham has gone through several key stages in recent years. The process started with a major review of the Council's key plans and strategies, ensuring alignment to the Community Strategy and Corporate Plan priorities and fit for purpose criteria. The process then proceeded to review a range of operational policies and plans for alignment, which resulted in the development of a Policy Framework Map, setting out in a clear and consistent manner the Council's policies and those adopted in partnership with other agencies.

In 2007, the Policy review process changed focus to identify how policies were having an impact, through assessing a selection of key policies from within the framework, using indicators aligned to them. This process did produce some beneficial results; however, it was difficult to achieve consistency in the assessment of policies across the board.

This report now takes forward proposals for Policy Review 2008. The proposals have been developed following a review of the overall policy framework and build on experience to date. Key criteria taken into account are:

- Refresh of the Community Strategy and Corporate Plan;
- Key policies and strategies due for refresh in 2008/09; and
- Introduction of the new National Indicator Set;

To take forward the Policy Review process the Policy and External Affairs Team has allocated policy officers to support policy development and review within each of the Community Strategy themes. Through the co-ordination of the Team, this will provide a consistent corporate approach to policy review, enabling both policy refresh and monitoring of impact. Early discussions with Directorates have already taken place to identify whether policies are still live, how they are being monitored and whether there is a need for a further refresh/review.

The Policy Framework Map has also been updated and is attached as a appendix to this report. Hyperlinks within the map take the reader direct to the policies documents, either on the Council's Intranet or web site. The Map can be accessed on the Intranet at:

<http://intranet.rotherhamconnect.com/C0/C12/Policy%20Framework/default.aspx>

Several Policies are due for refresh in 2008 / 09 and also a number have been identified as requiring review. These include:

- School Organisation Plan;
- Inclusive Learning Service Plan;
- Youth Justice Plan
- SEN Strategic Development Plan
- Anti Bullying Plan
- Rotherham Early Education, childcare and Extended Services Strategy
- Education Development Plan
- Regeneration Plan – to be replaced with the new Economic Plan for Rotherham 2008 / 2020;
- Tourism Plan;

- Cultural Strategy – not to be replaced;
- Extra Care Housing Strategy;
- Housing Strategy;
- BME Housing Strategy;
- Homelessness Strategy;
- Customer Access Strategy;
- Neighbourhood Charters;
- Area Plans;
- Corporate Equality Strategy
- Race Equality Scheme (plus a single equality scheme to be developed)
- Workforce development Strategy.
- Sustainable Development Framework
- Town Centre Action Plan
- Strategic Economic Zones
- Rural Framework
- Cycling Plan
- Parking Strategy

The introduction of the new National Indicator Set provides the opportunity to rationalise the process for monitoring impact of policies with the framework. The revised map included in the appendix now identifies the alignment of National Indicators to policies where a clear link exists. It is proposed that this is the principal form of monitoring, but that local indicators, where relevant and would add value should also be used. Alongside the use of data, policy officers for each theme would give a qualitative overview of the success and impact of policies in their relevant theme. An initial qualitative assessment has taken place and below are some examples of the information which has been identified:

- Learning Disability Strategy – links well to the community strategy, however, work to identify performance management of this needs to continue
- Teenage Pregnancy Strategy – is a good example of a policy which has regular updates and monitoring.
- Cultural Strategy is due for refresh and will not be continued – The Play strategy will replace elements but it needs to be ensured that any gaps are covered by other policies or strategies.
- Older Persons Well Being in Later Life Strategy – a comprehensive and up to date policy, though some work needs to be done on developing the performance management.
- Joint Public Health Strategy – a comprehensive and relevant strategy, concerns about performance management are being picked up by the Head of Public Health
- Town centre Action Plan – This has not been actively pursued and no monitoring has taken place. A review needs to consider the ongoing need for this document or whether it can be subsumed within others.
- Cluster Plan – a good example of an operational plan which is being monitored by the Achieving Theme Board.

These findings have fed into the list of policies recommended for review this year and such a qualitative assessment will also be used as part of the ongoing policy

review process. It should be noted that these have been done in partnership with directorates.

Some key cross-cutting policies are identified as not easily aligning with National Indicators. Where this is the case, it is proposed that policy officers will agree with Directorates what measures will be used for monitoring the policies concerned.

It is recommended that policies to be monitored this year should be those with national Indicators aligned to them in the Policy Map and all cross-cutting and corporate policies, the policies to be monitored on a half yearly basis; mid year in the autumn followed by annual out-turn.

A further issue found when scoping the Policy Review for this year is an inconsistency in the publication of the Council's policy documents, especially those published on the web site. The scoping revealed that a number of policies currently published on the web site are out of date; some are marked as "draft"; whilst a number of current policies are not included at all. It is proposed that this should be regularised by the creation of a "Electronic Policy Library", linked to the Policy Framework Map, where all policies for publication will be deposited and accessible through the web site.

## **8. Finance**

It is imperative that the Council's financial profile reflects its overall priorities, and so the Council's Medium Term Financial Strategy is a key strategy for the Council that we need to ensure is Fit for Purpose and aligned with the emerging priorities.

## **9. Risks and Uncertainties**

The development of a robust corporate policy framework is critical to effective corporate governance. Without it, the Council is at risk of not delivering its priorities and commitments effectively.

## **10. Policy and Performance Agenda Implications**

The Community Strategy and Corporate Plan are core to the Council's policy framework. This paper recognises the importance of aligning the Council's key strategies and plans to ensure effective delivery, and also proposes that all Strategies and Plans are assessed against the Council's (and LSP's) new priorities as they emerge.

The alignment of the new National Indicator Set to the Policy Framework should assist the Council and partners in achieving the commitments agreed in the Local Area Agreement and contribute to the Council's ongoing strong performance assessment.

## **11. Background Papers and Consultation**

Consultation forms a major part of policy development and is covered by CCI Framework included within the Policy Framework.

The background papers for this report are the Policy Framework Map and the range of policy documents contained within it.

**Contact Name:**

Steve Eling, Principal Policy Officer, extension 2789, [steve.eling@rotherham.gov.uk](mailto:steve.eling@rotherham.gov.uk)

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1. Meeting:</b>		<b>PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE</b>
<b>2. Date:</b>	<b>26 September 2008</b>	
<b>3. Title:</b>	<b>“11 Million Take-Over Day” 2008</b>	
<b>4. Directorates:</b>	<b>Chief Executive’s Children and Young People’s Services All Wards</b>	

**5. Summary**

Members are asked if they wish to participate in the “11 Million Takeover Day 2008” to be held on Friday 7 November, 2008

**6. Recommendations**

**That PSOC:**

- a. Gives its support to the “11 Million Takeover Day”;**
- b. Invites members of the Youth Cabinet to ‘takeover’ the PSOC meeting scheduled for November 7<sup>th</sup> 2008;**
- c. Invites Members of the Cabinet to attend this meeting;**
- d. Receives further updates on this issue.**

## 7. Proposals and Detail

7.1 “11 Million Takeover Day” took place on 23, November 2007 with more than 400 organisations and individuals from all over the country, including, politicians, newspapers, local authorities, police forces and fire brigades participating. In total over 10,000 children got the opportunity to work alongside decision makers, and have their say. Following the success of last year’s event, the Children’s Commissioner for England, Professor Sir Al Aynsley-Green is asking organisations to participate in the second “11 Million Takeover Day” on 7 November 2008, “to show that they value and respect children and young people by letting them takeover for the day”. The day also coincides with the end of National Youth Agency’s “Youth Work Week 2008” which has a theme of promoting the Voice and Influence of Young People.

7.2 PSOC Members supported the “11 Million” initiative to further demonstrate the Council’s commitment to widening the participation of children and young people. As part of last year’s activities in Rotherham, PSOC hosted a joint meeting with members of the Youth Cabinet. The Youth Cabinet identified items for the agenda and a member of the Youth Cabinet acted as joint chair for the duration of the meeting. The agenda included:

- “What really goes on in the Council” - How directorates involve and work with young people
- Plastic Bag ‘free’ Rotherham
- Feedback on anti-bullying work

Following this meeting, it was agreed that “arrangements be made to schedule a joint meeting with the Youth Cabinet on an annual basis at which members of the Cabinet could also be invited”. The second “11 Million Takeover Day” is to take place on 7 November 2008, which coincides with a scheduled PSOC.

7.3 Should approval be given, it is suggested that up to two young people are linked each PSOC member. As with last year, it is suggested that the whole or a proportion of the agenda could be allocated to issues identified by children and young people themselves. Members will receive further updates from the Youth Cabinet once they have had opportunity to discuss potential issues.

7.4 Following the structure of last year’s meeting, it is suggested that the young people take a lead in the meeting. Workers would be also present to support the children and young people but in the spirit of ‘takeover day’ would take a ‘back-seat’ in the proceedings. To further extend voice and influence, Members may also wish to endorse appropriate recommendations made by the children and young people in the meeting, directing them to the relevant body for consideration.

**8. Finance**

Voice and Influence activities have been factored into existing Children and Young People's Directorate budgets.

**9. Risks and Uncertainties**

In order for the event to be successful, it is important that children and young people can exercise their 'voice and influence' and run the meeting themselves, with appropriate support. If adults are seen to 'takeover', the young people may lose confidence and be unable to participate fully.

**10. Policy and Performance Agenda Implications**

- The Children and Young People's Single Plan gives a commitment to extending the voice and influence of children and young people.
- This initiative also links to the theme of 'Rotherham Proud' widening opportunities for engagement and celebrating the achievements of children and young people.

**11. Background Papers and Consultation**

- PSOC minutes 23 November and 7 December 2007
- [http://www.11million.org.uk/adult/11\\_million\\_takeover\\_day](http://www.11million.org.uk/adult/11_million_takeover_day)

**Contact:** *Caroline Webb, Senior Scrutiny Adviser, direct line: (01709) 822765  
e-mail: [caroline.webb@rotherham.gov.uk](mailto:caroline.webb@rotherham.gov.uk)*  
*Clare Cope, Senior Youth Officer (Voice and Influence), direct line: (01709) 335997  
email: [clare.cope@rotherham.gov.uk](mailto:clare.cope@rotherham.gov.uk)*

**PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE**  
**12th September, 2008**

Present:- Councillor McNeely (in the Chair); The Mayor (Councillor G. A. Russell) Councillors Austen, Barron, Burton, Gilding, Jack, P. A. Russell and Swift.

Also in attendance for item 66 below (Post Offices Closures in Rotherham) were:

Councillors Blair, Donaldson, Hodgkiss, Hughes, Hussain, Kaye, Lakin, Pickering, Wootton, St. Wright and Wyatt.

Messrs M. Silcott and A. Steele (Post Office Ltd.)

Mr. D. Cottingham (Postwatch)

Members of the public representing the affected proposed post office closure areas.

Apologies for absence were received from Councillors Boyes, J. Hamilton and Whelbourn.

**62. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this meeting.

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

There were no questions from members of the public or the press.

**64. QUARTER 1 PERFORMANCE REPORT 2008/09**

Tim Littlewood, Principal Officer Performance Management, presented the submitted report relating to the above which focused on the new national indicator set containing 198 indicators introduced in April, 2008.

The report was an exception report based on the measures contained within the Corporate Plan, paying particular attention to the areas of greater risk and also highlighted areas of strong performance.

The report addressed the main areas of performance across the Council and examined issues relating to the Local Area Agreement (LAA) and Comprehensive Performance Assessment (CPA) Service Block scores.

The report covered:-

- Corporate Plan performance
- Direction of Travel (DOT)
- Performance Clinics

- Data Quality
- Local Area Agreement (LAA)
- Comprehensive Performance Assessment (CPA)

At this stage it was not possible to report on the vast majority of the new measures. The submitted paperwork identified the ownership of each measure, who would report on each measure, and, where possible, whether or not mechanisms were in place to facilitate such report, when the data and mechanisms would be available and whether the measure was included in the Corporate Plan and under what theme. Work was ongoing to provide the missing information, particularly with regard to when the performance data would be available.

Discussion and a question and answer session ensued and the following issues were covered:-

- indicators no longer available
- risks
- bed availability in the new care homes
- waiting lists for assessment for care

Resolved:- That the following be noted:

- (1) overall position and direction of travel in relation to both overall performance and to the Audit Commission's CPA Direction of Travel Indicators performance
- (2) performance clinics to be conducted in Quarter 1 be based on existing areas of concern and a risk assessment of the new national indicator set
- (3) information contained within Appendix A of the submitted report requires more information in relation to responsible performance indicator managers and specific dates when performance data would be available from individual directorates for the measures they are responsible for
- (4) the performance reporting schedule be reviewed to accommodate the performance reporting timescales of the Council and its partners.

## 65. OUR FUTURE GROUPS - SCRUTINY MEMBERSHIP

Resolved:- That scrutiny membership of the reconstituted Our Future Groups be as follows:-

GROUP 1 Strategic Capacity Governance and Structural Review

Councillor Whelbourn

## GROUP 2 Strategic Partnership and Procurement Strategy

Councillors Jack and G. A. Russell (Councillor Burton to substitute for the Mayor when necessary)

## GROUP 3 Devolution, Empowerment and Communities

Councillors Whelbourn and McNeely

## GROUP 4 VFM/Resources Strategy

Councillor Boyes

## GROUP 5 Innovation, ICT and Workstyle

Councillor Austen

**66. POSTAL OFFICE CLOSURES IN ROTHERHAM**

The Chairman welcomed everyone to the meeting and introduced Cath Saltis, Head of Scrutiny Services, who presented briefly the submitted report indicating that, as part of the Government's Network Change Programme to secure the long term future of the post office network, an announcement was made on 5th August, 2008 to close the following six post offices in Rotherham :

- (a) Salisbury Road Post Office, 66a Salisbury Road, Maltby
- (b) St. Ann's Post Office, 45 St. Ann's Road
- (c) Toll Bar Post Office, 500 Wortley Road
- (d) Whinney Hill Post Office, 14 Old Gate Lane, Thrybergh
- (e) Parkgate Post Office, 96 Broad Street, Parkgate
- (f) Harley Post Office, 11 Harley Road, Harley

The report set out the background to the Network Change Programme, details of the post offices identified for closure in Rotherham, demographics of the affected communities and considered the impact that planning applications in those areas could have on post office provision.

The report covered:-

- background
- access criteria
- situation in Rotherham
- impact on the community
- alternative provision
- future of local post offices

Also submitted was :-

- a petition containing over 500 signatures opposing the closure of Harley Post Office
- a response from John Healey, M.P., to the proposed closure of the post office branches within his constituency at Parkgate, Harley and Whinney Hill

It was noted that the consultation deadline on the proposed closures was 22nd September, 2008.

Following presentation of the report, the Chairman invited representations/comments/questions from the meeting.

Discussion and a question and answer session ensued and the Post Office Ltd. representative answered, where possible, question from Ward Councillors, elected Members and members of the public/representatives on behalf of the proposed affected post offices.

General issues raised included:

- a feeling that the closure programme was a 'fait accompli' and that the consultation exercise was a waste of time
- clarification that, due to the overall closure programme requirement, withdrawal of a post office from the closure programme in Rotherham would result in another post office within the defined area (of which Rotherham was a part) being drawn into the closure programme
- changing nature of the use of post offices and reasons for closures
- not Government employees working in post offices but bought as businesses and clarification of the compensation arrangements
- alternative provision arrangements and costings for such

- Post Office research into the condition of Rotherham's post offices and the criteria for proposing closure
- concerns generally regarding apparent lack of consideration of the social impact of post office closures
- concerns generally regarding the accessibility of alternative provision
- concerns regarding lack of additional budgets i.e. PTE to improve local services to alternative provision facilities
- general concerns regarding weighting or lack of weighting of criteria for closure
- general concerns regarding the consultation process in that residents had not been consulted
- general concerns regarding the 'flawed' findings from the consultation process
- given that Post Office Ltd. was driven by the effort to save money, what alternative factors to closure had been considered
- clarification of the Council's contact/consultation with the affected post offices
- need not to fall foul of the Government's own disability rules regarding accessibility of wheelchairs on buses

Specific issues raised included:-

(a) St. Ann's Post Office

- need to look seriously at the alternative proposed provisions in more detail
- town centre not appropriate : already very busy
- St. Ann's uniquely caters for a diverse community language mix which is not available at other locations
- previous closure on Fitzwilliam Road increased usage of St. Ann's which already has queues
- not possible to provide alternative post office that would cater for the St. Ann's customers
- disadvantage from a travel perspective particularly to the elderly, infirm and disabled

- no consideration given to the impact of closure on the long serving loyal employees

(b) Parkgate Post Office

- proposed alternative provision a problem from an access point of view in that the community is in the top 5% area of deprivation nationally with low degree of car ownership and a heavy reliance on public transport
- the nearest alternative on Bellows Road itself likely to close for at least a year as part of the centre's redevelopment
- the route to Bellows Road is up a steep hill and Parkgate is a high level incapacity benefit community

(c) Harley Post Office

- a village community already isolated would be more isolated with the closure
- consultation process flawed in that no member of the public aware of consultation
- consultation information flawed in that there are only 2 buses per day to Wentworth (alternative proposed post office) and following the one at 12.25 p.m. there is no return bus from Wentworth until 9.15 a.m. the following day
- concerns regarding discrimination against disabled people in that they are unable to access the alternative proposed provisions at Wentworth (see above) and Chapeltown
- there is an half a mile walk to the bus stop to travel to Chapeltown, again a problem for the elderly infirm, disabled, mothers with young children
- residents are mainly elderly with 20% disabled and would be denied easy access to buy postal products
- the human element/social contact via the post office and knowing the pattern of customers to alert about potential problems would be lost
- post office being denied the facility to sell certain services i.e. travel insurance and to increase services must have them in the first place

## (d) Whinney Hill Post Office

- area of deprivation with high number of disabled people and residents on benefits, low car usage
- journey to Hollings Lane Post Office on a hill
- no direct bus service to the East Herringthorpe Post Office therefore not a viable alternative
- town centre not a viable alternative as already full to bursting

## (e) Salisbury Road Post Office

- used by a lot of elderly/disabled people
- alternative post office on hill and car parking issues

In concluding the discussion, the Chairman thanked everyone for their attendance and contributions.

Reference was made to the comments and concerns that had been submitted to the Council in letters, on line and in person by residents and to additional information that had been gathered by communities regarding more accurate information about local scenarios.

The strong representations made in respect of Harley, Parkgate and St. Ann's post offices were particularly acknowledged.

Resolved:- That, in view of the various representations, as referred to above, made to the Council, the information now submitted and representations received by the Council be referred to Postwatch and Post Office Ltd. and Post Office Ltd. be requested to re-consider their proposed post office closure programme for Rotherham in the light of such representations.

67.

## PROCUREMENT STRATEGY ACTION PLAN UPDATE

Further to Minute No. 5 of the meeting of this Committee held on 23rd May, 2008, Sarah McCall, Performance Officer, presented the submitted report detailing how the Council's Corporate Procurement Strategy was based around the 4 key visions of the National Procurement Strategy:

- Vision for leadership, management and capacity
- Vision for partnering, collaboration and supplier management
- Vision for systems that allow business to be done electronically
- Vision for stimulating markets and achieving community benefits

Implementation of the Strategy was via four action plans corresponding to

the visions and the report provided an update on progress against those action plans.

The action plan produced following the base budget review of third sector funding had now been incorporated into reporting of the Strategy Action Plan.

Discussion and a question and answer session ensued and the following issues were covered:-

- assessment and future reporting of outcomes
- CYPS Joint Commissioning Framework 2008/11
- awareness training regarding what could be procured from/provided by VCS

Resolved:- That the actions to implement the Procurement Strategy be noted and the ongoing actions be supported.

## **68. PROCUREMENT LOCAL PERFORMANCE INDICATORS**

Further to Minute No. 6 of the meeting of this Committee held on 23rd May, 2008, Sarah McCall, Performance Officer, presented the submitted report setting out the details of the indicators developed to date, targets and performance for the first quarter of the current year.

Of the eighteen indicators (details of which were appended to the report) :

- two were status green with performance above target
- five were status amber with performance on target
- two were still under development
- two were for information/monitoring only without targets
- one had reporting yet to commence
- five were annual indicators with reporting due later in the year
- one had been superseded by changing legislation

Resolved:- That the current performance against the indicators be noted.

## **69. PAYMENT OF INVOICES WITHIN 30 DAYS (FORMER BVPI8)**

Further to Minute No. 4 of the meeting of this Committee held on 23rd May, 2008, Sarah McCall, Performance Officer, presented the submitted report which detailed BVPI 8 and how it measured the payment of

undisputed invoices within 30 days.

The Council had agreed the following average annual targets for performance of BVPI 8 with RBT :

2007/08	96.3%
2008/09	97.0%
2009/10	97.5%

Outturn performance for 2007/08 achieved 94% which demonstrated an improvement on the 2006/07 outturn performance of 91%.

Performance against BVPI 8 was not as consistent as it should be and it was recognised that the Council should act to instil and embed good practice in this area and work was ongoing to this effect. Recent performance had achieved :

April 95%  
May 92%  
June 88%  
July 90%  
August 91%

Average performance against BVPI 8 for the year to date was 91.2%.

Discussion and a question and answer session ensued and the following issues were covered:-

- impact on vulnerable small suppliers
- ROCC system

Resolved:- That the current position in respect of BVPI 8 be noted with concern and mitigating actions be supported.

## 70. RBT PERFORMANCE UPDATE

Mark Gannon, Transformation and Strategic Partnerships Manager, presented the submitted report summarising the performance of RBT against contractual measures and key service delivery issues for the first quarter of the current financial year across the areas of Customer Access, Human Resources and Payroll, ICT, Procurement and Revenues and Benefits.

Following the recent renegotiation of the RBT contract, a new performance management framework was developed to provide a way to measure and manage performance effectively, which would indicate not only the health of the services but also the health and performance of the Partnership overall.

The framework included:-

- Strategic Measures : a set of 5 key measures for each service area which were of the greatest strategic significance for the Partnership plus 5 cross cutting Partnership measures (details were submitted)
- Operational Measures : a set of measures for each service area which assess the effectiveness of service delivery. These replace the service level agreements and are to be used in conjunction with the service credit model (details were submitted).
- Management Measures : local performance indicators for each work stream which allow additional key service information to be monitored and assessed

Work had been ongoing during Quarter 1 to implement the new suite of measures, including the preparation of detailed methodology statements for each measure which set out what the measure was, how data would be gathered etc. As a number of measures were new and required new reporting mechanisms to be implemented, not all measures were able to be reported on at the present time. All measures were on target to be reported fully from next month onwards.

Discussion and a question and answer session ensued and the following issues were covered:-

- value for money
- Council Tax collection recovery procedures
- resourcing of calls that previously went to the Maltby and Wath district offices which were now being dealt with through Neighbourhoods and Adult Services Assessment Direct Service
- Tell Us Once project

Resolved:- That the information be noted.

## 71. MINUTES

Resolved:- That the minutes of the meeting held on 25th July, 2008 be approved as a correct record for signature by the Chairman.

## 72. WORK IN PROGRESS

Members of the Committee reported as follows:-

(a) Councillor Burton reported that the latest meeting of the Children and Young People's Services Scrutiny Panel had considered a report on children's centres and had had the opportunity to comment on the draft parenting strategy,

(b) Councillor Austen reported that the Democratic Renewal Scrutiny Panel had held a themed meeting on equalities with interesting presentations from the BME Young People's Forum. Also discussed was the duty of schools to promote community cohesion.

It was also noted that the review of parish councils had begun.

(c) Councillor Jack reported that the latest meeting of the Adult Services and Health Scrutiny Panel had received a presentation regarding prostate cancer screening.

Forthcoming items included a report concerning changes to the mental health service and that the review into breastfeeding was to commence in the next few weeks.

### **73. CALL-IN ISSUES**

There were no formal call in requests.