

THE CABINET
Wednesday, 8th September, 2010

Present:- Councillor Sharman (in the Chair); Councillors Akhtar, Doyle, Hussain, St. John, Lakin and Smith.

Councillor Whelbourn (Chairman of the Performance and Scrutiny Overview Committee)

Apologies for absence were received from Councillors R. S. Russell, Stone and Wyatt.

C51 QUESTIONS FROM MEMBERS OF THE PUBLIC

A member of the public referred to the Town Hall refurbishment and the elegant and modern council chamber and asked how much the refurbishment had cost, how many Rotherham apprentices had worked on the refurbishment and the amount of spending that had taken place over the years in the proposals for the renovation of Boston Castle and asked for further enlightenment on the preservation of this important Rotherham heritage?

The Cabinet Member for Culture, Lifestyle, Sport and Tourism also chaired the Boston Castle Restoration Project Board and confirmed that due to the current budget position the Council had had to make a decision about year on year funding commitments, despite being in receipt of £590,000 Heritage Lottery Funding. To secure the future of Boston Castle and to preserve the Lottery Funding a revised scheme had been development with a proposed start time on site as January, 2011.

The Strategic Director of Environment and Development Services reported that restoration of Boston Castle was just one of the schemes that the Council had to rethink its pledge to, unlike the Town Hall refurbishment whose contracts had already been committed. The Town Hall was now a public facility that provided a greater range of meeting space for community groups and public bodies and was a focal civic building. In terms of the cost of the overall scheme for the Town Hall it was in the region of £2.9 million.

Boston Castle, however, did have revenue implications should the original scheme go ahead. However, the revised scheme was one that could still restore and secure the future of this important building, but which could be delivered in this difficult economic climate.

In a supplementary question, the member of the public made

referred to the ongoing revenue implications, but pointed out that there had been ongoing costs over many years in the formulation of bids to restore Boston Castle, which could have been avoided had the fabric and roof of the building been stabilised and made secure.

The Strategic Director of Environment and Development Services confirmed that time and resources had been spent on this project as part of the bid to the Heritage Lottery Fund, but emphasised that plans for Boston Castle now had to be realistic and had resulted in the removal of the café plans in order to minimise risk and further revenue in the future being incurred.

The Cabinet Member for Community Development, Equality and Young People's Issues and Boston Castle Ward Member pointed out that despite all attempts to secure the best restoration of this building the budget implications had to be taken into consideration.

C52 SCRUTINY REVIEW - PERSONAL, SOCIAL, HEALTH AND ECONOMIC EDUCATION (PSHE)

Councillor Fenoughty, Chair of the Scrutiny Review, introduced the report which set out the findings and recommendations of the scrutiny review into Personal, Social, Health and Economic Education (PSHE).

The purpose of the review was initiated because members of the Youth Cabinet identified PSHE provision as an area of concern and asked that the Children and Young People's Scrutiny Panel look into it further. The Youth Cabinet agreed to take part in a Scrutiny Review to investigate the way in which PSHE was being taught in schools.

Specifically the review looked at:-

- To consult young people about their experiences of PSHE.
- To understand the current PSHE provision in Rotherham schools in theory and practice.
- To recognise good practice in PSHE teaching locally and nationally.
- To gather the views of School Governors regarding PSHE.
- To identify examples of quality PSHE learning resources both locally and nationally.

The recommendations from the review were set out in detail as part of the report, but included:-

- PSHE should be compulsory and part of every student's timetable. This provision should be available from year 7 to year

11 regardless of ability and examination pressure. Drop down days are a good way to provide a high profile supplement to PSHE, but should not be the only way that pupils receive PSHE.

- PSHE should be taught by trained and confident teachers. As many members of staff as possible should access the year long Continuing Professional Development Program delivered by the Healthy Schools Team. Schools should be encouraged to access the Inset Days around PSHE offered by the Healthy Schools Team.
- Schools should structure the curriculum to avoid repetition and explain this clearly to pupils. The IMPACT booklet developed by Rawmarsh is one such approach which clearly communicates to pupils what they will be studying and when.
- The quality of PSHE delivery needs to be evaluated and assessed. The views of young people are crucial and the system adopted for evaluation should allow pupils to give anonymous feedback.
- PSHE to be part of the induction process for Governors and each school could have a governor champion for PSHE.

A number of the review recommendations may have financial and resource implications if adopted. This would require further exploration by the Council, Senior Managers from Schools, Governing Bodies, the School Effectiveness Service and the Healthy Schools Team on the potential cost, risks and benefits of their implementation. These resource issues would be discussed further during the consultation period.

There was currently much good work being done in Rotherham on PSHE. However, the full value of PSHE to all schools, pupils, teachers and communities was not yet being fully realised and the quality varied considerably. In the (2008) Lifestyle Survey only a third of pupils felt they had been taught about contraception at the right time. Only 40% of females and 38% of males felt they had been taught about pregnancy at the right time (12 out of 15 secondary schools responded.) These perceptions about a lack of information, or a failure to provide guidance at appropriate times, manifest themselves in continuing patterns of risky behaviours amongst young people in Rotherham.

Cabinet Members welcomed this report and offered support to taking forward the recommendations and drawing them to the attention of Governors and Head Teachers.

Resolved:- (1) That the Scrutiny Review “Personal, Social, Health and Economic Education” and its recommendations be noted and a response be submitted to the Cabinet within two months as outlined within the Council’s Constitution.

(2) That the decision of Cabinet on the report, recommendations and proposed action be reported back to Scrutiny in due course.

(3) That everyone involved in the review be thanked for their input.

C53 EVALUATION OF THE INVEST SOUTH YORKSHIRE (ISY) PROGRAMME

Councillor Smith, Cabinet Member for Regeneration and Environment introduced a report by the Strategic Director of Environment and Development Services, which advised of the outcome of an external evaluation of a key account management and inward investment programme delivered by Rotherham Investment and Development Office and highlighting the recommendations made in the report.

The Invest South Yorkshire (ISY) Programme aimed to attract new investment in key business sectors and provided support to the largest and most strategically important companies in Rotherham.

This was achieved by building on (and simplifying) the earlier Renaissance South Yorkshire approach and bringing together Key Account Management, Human Resource support and Inward Investment functions. The programme was part of a South Yorkshire wide approach. Rotherham Investment and Development Office (RiDO) delivered the programme in Rotherham with Barnsley Development Agency, Invest in Doncaster and Creative Sheffield covering the rest of South Yorkshire. The Inward Investment functions were delivered as a shared South Yorkshire service. Rotherham led for the Advanced Manufacturing and Materials (AMM) sector.

Further detail was provided on the assistance provided in Rotherham, the contact that was maintained and the lead role that was being taken and information on how RiDO had performed in relation to programme output targets.

The programme was wholly supported through Yorkshire Forward single pot funding.

The AMM Team was a partnership with Creative Sheffield, who also had three people as part of the team. Their costs have not been included in the figures set out in the report.

The changes to sub-national economic development proposed by the Government and abolition of Regional Development Agencies (RDA's) would take time to implement. In the interim there was no appropriate funding body with whom a discussion on continuation of the programme could be meaningfully progressed beyond in principle support.

This was a major risk for continuation of the programme as current funding ended in August, 2011.

If alternative funding was not found, then this successful programme would cease.

Within Rotherham the programme funded two Key Account Managers, a HR Business Consultant, an AMM Sector Specialist, an AMM Marketing Manager and an AMM Project Co-ordinator.

Cabinet Members noted the performance made and supported any proposals for this programme to continue through the city region Local Enterprise Partnership.

Resolved:- (1) That the contents and recommendations of the Interim Evaluation of Yorkshire Forward's Investment in the Programme 'Invest South Yorkshire' and support implementation of the recommendations detailed in the report be noted.

(2) That the activity delivered by the 'Invest South Yorkshire' programme should continue to be highlighted as a priority intervention to be addressed by the emerging Local Enterprise Partnership.

C54 LOCAL DEVELOPMENT FRAMEWORK - NEXT STEPS

Councillor Smith, Cabinet Member for Regeneration and Environment introduced a report by the Strategic Director of Environment and Development Services, which set out details of the public consultation on the Local Development Framework (LDF) Core Strategy over the summer of 2009 which generated considerable public, press and member interest. This report, therefore, gave feedback on the consultation response.

The new Coalition Government had recently revoked the Regional Spatial Strategy (RSS) and the housing targets it contained. The Government had also announced its plans to radically reform the planning system via the forthcoming Decentralisation and Localism Bill. The report considered the implications of this changed context

for the preparation of Rotherham's Local Development Framework and outlined a draft consultation plan and timetable for future public engagement.

The report set out in detail information relating to:-

- Changing context for the LDF.
- Consultation Plan.
- The draft LDF Consultation Plan.
- Consultation timetable.
- The draft LDF timetable.
- Standard letters and petitions.
- Interim housing target.
- Final housing target.

There were no direct financial implications from this report although the consultation planned for Summer, 2011 may increase pressure on the Forward Planning budget. Carrying out more in-depth local consultation to meet increased public expectation of community involvement – stemming from the Government's "localism" agenda – could also have significant budget implications.

The Housing Minister had recently announced plans to reward Councils that grant permission for new housing in the shape of a "new homes bonus". The incentive scheme would match council tax revenues on every new home built for six years in grant payments to local authorities, with up to 125% for affordable homes. How this grant would be calculated, and the implications for the Council, were not known at this time (details were expected after the October spending review). However, the scheme could potentially result in significant grant money for the Council which could mitigate the loss of Housing and Planning Delivery Grant previously cut by Government. The mechanism for how any grant money received would be channelled to particular communities as compensation for receiving growth was also unclear.

The number of new dwellings delivered under NI 154 formed part of the Council's current Local Area Agreement (LAA). The future of LAA grant was uncertain pending the Government spending review in October.

The Council received "Growth Point" funding from the previous Government based housing delivery above the Regional Spatial Strategy housing target. As Regional Spatial Strategy had now been revoked it was unclear what the future was for this grant money.

Of further concern was the tension between ensuring a sufficiently

robust evidence base to achieve a “sound” Core Strategy versus increasing budget constraint.

Mindful of the current financial situation, work was taking place with the other South Yorkshire authorities to share planning expertise in an attempt to reduce budget pressure and meet skills gaps. Although the main work streams to support the Local Development Framework were carried out in-house, certain topics required specialist skills that the Council had to procure.

The main risk from increasing budget pressure was that the Council would be unable to procure the required evidence base studies to support the Core Strategy at submission stage. If this were to be the case the Council would be at risk of the Core Strategy being found “unsound” by the Inspector following public examination and have to start the process again – incurring significant cost, delay and negative publicity.

Cabinet Members considered lessons to have been learnt from previous experiences and welcomed proposals to take forward a further period of consultation with stakeholders and the general public on options for the future growth and development of Rotherham in terms of a broad strategy for growth across the borough and in assessing alternative potential development sites.

Cabinet Members supported proposals to set an interim housing target to provide continuity.

Resolved:- (1) That the draft Local Development Framework Consultation Plan be approved.

(2) That the draft Local Development Framework timetable be approved.

(3) That the revised approach to standard letters and petitions received in response to future Local Development Framework consultation be approved.

(4) That the adoption of an interim housing target for Rotherham of 750 net new dwellings per annum (based on the 2005 draft RSS figure, or “Option 1” figure, as allowed for by Government guidance following revocation of regional strategies) be approved.

(5) That further public consultation through the Local Development Framework process on a range of housing targets to determine a final housing target be approved.

(6) That a Press Release be issued setting out the position.

C55 EQUITY AND EXCELLENCE: LIBERATING THE NHS - WHITE PAPER AND RESPONDING TO THE CONSULTATION

Councillor Doyle, Cabinet Member for Adult Independence and Wellbeing, introduced a report by the Chief Executive, which set out how the Government's Health White Paper preceded legislation to be placed before Parliament in the current parliamentary session. It proposed major reforms to the NHS and also changed roles for Local Government.

A suite of consultation documents have subsequently been published, which required a response by 11th October, 2010. This report set out the key proposals within the White Paper and the implications these would have for the Council and Partners, as well as making recommendations for effectively responding to the consultation and next steps for public health in Rotherham.

The report set out clearly:-

- The Key Proposals.
- Implications for Rotherham.
- Consultation Process.
- Local Democratic Legitimacy in Health.
- Commissioning for Patients.
- Transparency in Outcomes – A Framework for the NHS.
- Regulating Healthcare Providers.
- Responding to the Consultation.
- Rotherham Joint Public Health Strategy.

A ring-fenced health improvement budget, which included a bonus for outcomes, would be provided to all Directors of Public Health. Further detail regarding the amount of this budget and how it would be ring-fenced was not yet known, it was expected that the Public Health White paper out in the autumn would provide more information.

Implementation of some White Paper proposals may be influenced by the Spending Review expected from the Treasury in October, 2010 and the Localism and Decentralisation Bill expected from CLG in December, 2010. For example, what the Bill said about the governance arrangements for Councils and what the Review said about placed-based budgets.

There was also uncertainty with regards to the proposals in relation to the new health improvement roles and responsibilities for local

authorities; including details of the ring-fenced budget and Director of Public Health and staff. Further clarity on these proposals would be provided by the publication of the Public Health White Paper due in autumn.

The Council needed to consider all proposals and implications of this and future health related White Papers to ensure it was fully equipped to take on the new role. The risk of not looking at this immediately could be ineffective partnership and integrated working with the new arrangements and, therefore, poor outcomes for services.

Cabinet Members noted the proposals for increasing local democracy in health through a clear and enhanced role for Local Authorities, but supported the option to respond formally to the White Paper as a Council, in consultation with NHS partners.

It was noted, and taken account of, that discussions had already commenced with General Practitioners and this was supported to ensure the Council was well situated and informed in relation to the management of commissioning.

Resolved:- (1) That the proposals set out in the White Paper and implications for the Council and Partners be noted.

(2) That a formal response be made to the White Paper by the Council following consultation with NHS partners.

(3) That the steps being taken to develop a new joint Public Health Strategy for Rotherham be noted.

C56 CHILDREN AND YOUNG PEOPLE'S SERVICES NOTICE TO IMPROVE - PROGRESS UPDATE

Councillor Lakin, Cabinet Member for Safeguarding and Developing Learning Opportunities for Children, introduced a report by the Strategic Director of Children and Young People's Services, which provided an overview of the progress made since the Notice to Improve was received in December, identified a RAG rating and a direction of travel for the areas of improvement, some areas of good performance and key risks and issues to meeting the stretching targets set for the Council and its strategic partners.

A clear message from the OFSTED inspectors was the need to focus now on driving up the quality of practice to underpin the work done in improving the quantitative figures.

There were now twenty-nine individual actions (instead of forty-five) covering the key performance measures (three social care indicators) in addition to the operational targets around Staying Safe, Enjoying and Achieving, Leadership and Management and Capacity Building, Performance Management, and Recruitment and Retention.

Based on a RAG rating the current position as at 20th August, 2010 was set out in the report with information provided to indicate that most targets had been exceeded as of 6th September, 2010.

Two new areas have been included in relation to the action plans following the recommendations from both the Fostering and the Safeguarding and Looked After Children inspections, work has already commenced on these and action plans were in place.

The report also drew specific attention to:-

- Social Care Indicators.
- High Risk Areas (red risks).
- Areas of Concern.
- Areas of Improvement.

The DfE agreed up to £150,000 financial support to assist with recovery, a further £125,000 had been secured from the RIEP to fund the work around implementation of Common Assessment Framework. The DfE funding was being used to supplement social work staffing resources and to employ independent staff to assist in the review and further improvement of and service quality activities.

A review has been conducted of Children and Young People's placements; both Rotherham based and in out of authority facilities. This focussed on whether the placements could end, in line with the care plan review, whether the Council was getting the best value for money and that the placements were of the required quality.

In order to strengthen financial management arrangements all managers with budget holder responsibility attended specific training. The moratorium which had been in place since December, 2009 continued into 2010/ 11 to ensure that resources were directed to priority areas. In addition, a savings work programme was in place to identify efficiencies and enable re-investment into priority areas.

Further work was now taking place in relation to the overall budget position and the recent government announcements.

The key performance risks (red) were identified in the report and

there were service delivery risks associated with the Notice to Improve action plan. Where these were significant they were being fed into the Children and Young People's Service risk register.

Resolved:- That the progress being made against the targets set in the Notice to Improve be noted.

C57 INSPECTION OF SAFEGUARDING AND LOOKED AFTER CHILDREN

Councillor Lakin, Cabinet Member for Safeguarding and Developing Learning Opportunities for Children, introduced a report by the Strategic Director of Children and Young People's Services, which provided details on the Inspection of Safeguarding and Looked After Children which took place between 19th - 30th July, 2010.

The Inspection was very positive and resulted in an overall rating of Adequate with some elements rated as Good. The key recommendations for Safeguarding and Looked After Children for immediate action and the next three months were set out in detail as part of the report.

There were no additional financial implications to the report, but the Safeguarding and Looked After Children budgets were already under pressure.

There was a real possibility of an unannounced Contact, Referral and Assessment Inspection before December. The Council must ensure that it was in the best possible position and implementation of the recommendations would mitigate the risks associated with this.

Cabinet Members were pleased to hear that examination results for Rotherham's looked after children had improved.

Cabinet Members were mindful, however, that the service would be re-assessed in October, 2010 and supported the service in ensuring it was in the best possible position to mitigate any further risks.

Resolved:- That the report be received and the key recommendations to be implemented noted.

C58 INSPECTION OF FOSTERING SERVICES - SUMMARY OF THE REPORT AND ACTION PLAN

Councillor Lakin, Cabinet Member for Safeguarding and Developing Learning Opportunities for Children, introduced a report by the Strategic Director of Children and Young People's Services, which summarised the main findings of the inspection of the Fostering

Service undertaken by Ofsted, week commencing 21st June, 2010, and presented the action plan devised to address the recommendations of the Inspectors.

The overall judgement of the inspection was 'Satisfactory', with 'Good' being achieved in:-

- Helping children to be healthy.
- Achieve well and enjoy what they do.
- Make a positive contribution and;
- Achieving economic well-being.

The report set out information relating to:-

- The purpose the inspection.
- The Inspectors conclusions.
- Overall Judgement.
- Staying Safe.
- Achieve Well and Enjoy.
- Make Positive Contribution.
- Achieving Economic Well-Being.
- Organisation.
- Recommendations.

There were no additional financial implications identified arising from this report, although it was noted that financial resources for fostering placements were already under pressure.

A well functioning Fostering Service was central in providing a quality service to looked after children. The risk of not embedding improved practice and not maintaining the momentum of change in the Fostering Service was first and foremost that the wellbeing of children in care would not be assured and improved outcomes would not be secured; the Authority would not maximise the benefits for looked after children and young people it hopes to achieve in setting up new dedicated looked after children social work teams.

Demand for foster placements continued to be high and the service were having a high profile recruitment campaign in the autumn. Raising practice standards at a time of service growth would require careful management and a service improvement plan that would incorporate the Ofsted action plan was being developed to meet and monitor this demand.

An essential element of the service improvement plan would be the development of the fostering module on Electronic Social Care

Records (ESCR). There may be a capacity issue in both the Information Technology (IT) and Fostering Services and there would be a high training need for some fostering social workers.

Resolved:- That the contents of the Fostering Service Inspection report and action plan arising from it be noted.

C59 CORPORATE PARENTING GROUP

Further to Minute No. 16 of the meeting of the Cabinet held on 7th July, 2010, Councillor Lakin, Cabinet Member for Safeguarding and Developing Learning Opportunities for Children, introduced a report by the Strategic Director of Children and Young People's Services, which set out proposals to establish a Corporate Parenting Group.

Draft terms of reference have been developed and it was suggested that these were forwarded to the Corporate Parenting Group for comment and amendment.

Whilst the review did not explore the composition of the proposed group or prescribe its membership, other than suggesting it was chaired by the Cabinet Member for Safeguarding and Developing Learning to maintain its strategic overview.

Drawing on examples from other Local Authorities, it was suggested that the membership of the Corporate Parenting Group be as follows:-

- Chair - Cabinet Member for Safeguarding and Developing Learning.
- Elected Member on Fostering Panel.
- Elected Member on Adoption Panel.
- Cabinet Member for Adult Independence, Health and Well Being (or his/ her nominee).
- One member nominated from the opposition group.
- One Member from Children and Young People's Scrutiny Panel.

Reflecting their wider corporate parenting roles, further consideration should be given to whether additional Cabinet Members wished to be members of this board or attend when relevant items were on the agenda.

It was suggested that the first meeting of the Corporate Parenting Group determine its co-option arrangements.

The review recommended that key officers and partners should also be active members of the Corporate Parenting Group. This was

endorsed by the Children and Young People's Trust Board at its meeting on 6th August, 2010. It was suggested that relevant officers and partners be invited to the first meeting.

Support for the Corporate Parenting Group would be met through existing resources. It should be noted that since Cabinet approval had been given to the review recommendations, the Looked After Children Scrutiny Sub-Panel had been disbanded.

The Authority's Corporate Parenting arrangements must contribute to improved and sustainable outcomes for Looked After Children and their families. These arrangements should bring together the relevant agencies to ensure that timely decisions were made about the care and education of the Borough's most vulnerable children. Failure to ensure that the arrangements were robust may undermine this and negatively impact on future inspection judgements.

Resolved:- (1) That the draft terms of reference be approved and they be forwarded to the first meeting of the Corporate Parenting Group for discussion.

(2) That the interim arrangements for membership be approved.

(3) That these arrangements be reviewed in twelve months time.

(4) That a copy of this report be circulated to all Members of the Council for information.

C60**LONG TERM CAPITAL LOAN FINANCE IN SUPPORT OF ROTHERHAM COLLEGE OF ARTS AND TECHNOLOGY PHASE 1 NEW AND REFURBISHED BUILD**

Councillor Sharman, Deputy Leader, introduced a report by the Strategic Director of Finance, which asked for consideration to a formal request from Rotherham College of Arts and Technology (RCAT) for a £5 million long term capital finance loan from the Council to assist the College in delivering the £8.15 million Phase 1 redevelopment of the College's Town Centre Campus.

The request was for the Council to provide access to long term finance under its Section 2 Local Government Act 2000 'Well-being' powers. This was consistent with Rotherham's Community Strategy.

Security for the loan provided to RCAT was to be in the form of a Legal Charge over existing property assets of the College during the re-development and then the new and refurbished accommodation registered with the Land Registry.

The repayment of loan (principal and interest) including the cost of administration and management would be fully met by the College when it became due over twenty-five years.

A Loan Agreement supporting the financial arrangement had been drafted and was currently being finalised by each parties' legal advisors. The provision of the capital loan facility was to be subject to the terms and conditions of the loan agreement being to the satisfaction of the Council's Strategic Director of Finance and Assistant Chief Executive (Legal and Democratic) Services.

The Council would, therefore, be making a £5 million long term loan to RCAT on an Annuity basis. The College would be required to make six-monthly payments of principal and interest. The interest rate charged would be determined by the date the loan facility was drawn down by the College, but it would reflect the Annuity PWLB rate at that time including relevant Arrangement, Management and Administration fees incurred by the Council. The College was currently anticipating that it would need to draw down the loan funding in the period March, 2011 to July, 2011.

There was always the possibility of not recovering the monies if RCAT became unable to repay the monies. Reference has been to RCAT's business plan and accounts to establish the level of risk and it was felt that RCAT's financial position was such that the risk of not receiving repayment was low. In addition the Council would secure the loan by requiring the College to enter into a legal charge over some or all of the College's existing property assets during and following the redevelopment phase until such time as the loan was fully repaid.

It was emphasised that RCAT was a private organisation that could not access Public Works Loans Board funds and that this was a business transaction that did not require the use of any Council funds or balances.

Cabinet Members welcomed the proposals to improve the learning environment for Rotherham students and the strategy to modernise and rationalise the town centre campus.

Resolved:- That the provision of a capital loan facility of £5 million to RCAT for the proposed investment in Phase 1 of its redevelopment of the Town Centre Campus be approved, subject to the terms and conditions of the loan agreement being to the satisfaction of the Strategic Director of Finance and Assistant Chief Executive (Legal and Democratic) Services.

C61 MINUTES OF MEETING OF THE MEMBERS' TRAINING AND DEVELOPMENT PANEL HELD ON 24TH JUNE, 2010

Councillor Whelbourn, Chairman of the Performance and Scrutiny Overview Committee, introduced the minutes of the Members' Training and Development Panel held on 24th June, 2010.

Attention was drawn to Minute No. 53 and the need for Member participation in the series of sessions that were aimed at Elected Members as part of "The Member Role as a Corporate Parent".

Reference was also made to Minute No. 50 and the latest position with regard to CRB checks for Elected Members, which was to be clarified further at the next meeting of the Members' Training and Development Panel.

Resolved: That the minutes of the Members' Training and Development Panel held on 24th June, 2010. be received.

C62 MINUTES OF A MEETING OF THE GROUNDWORKS TRUSTS PANEL HELD ON 14TH JULY, 2010

Councillor Sharman, Deputy Leader introduced the minutes of the Groundworks Trust Panel held on 14th July, 2010.

Resolved: That the minutes of the Groundwork Trusts Panel held on 14th July, 2010, be received, and the continued excellent partnership work of both Groundwork Trusts be noted.

C63 MINUTES OF A MEETING OF THE LOCAL DEVELOPMENT FRAMEWORK MEMBERS' STEERING GROUP HELD ON 16TH JULY, 2010

Councillor Smith, Cabinet Member for Regeneration and Environment, introduced the minutes of the Local Development Framework Members' Steering Group held on 16th July, 2010.

Particular reference was made to Minute No. 14 (Town Centre Retail and Leisure Study) and Minute No. 16 (Local Wildlife Sites).

Resolved:- (1) That the progress to date and the emerging issues be noted.

(2) That the minutes of the Local Development Framework Members' Steering Group held on 16th July, 2010 be received.

(THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING ITEM IN ORDER FOR THE COUNCIL TO RESPOND TO THE CONSULTATION ON LOCAL REFERENDUMS)

C64 THE COUNCIL'S RESPONSE TO THE DCLG CONSULTATION PAPER ON LOCAL REFERENDUMS TO VETO EXCESSIVE COUNCIL TAX INCREASES

Councillor Sharman, Deputy Leader, introduced a report by the Chief Executive, which set out details of the Consultation Paper on Local Referendums to veto excessive Council Tax increases which was issued on 30th July, 2010 by the DCLG. The report sought views on the practicalities of implementing local referendums on Council Tax increases at all levels of authority including parishes. Local Authorities' views on eleven questions were requested by email by 10th September, 2010 and a proposed response was included as part of the report.

The report also set out information relating to:-

- The Current System.
- Existing Powers.
- Problems with the Present system.
- Government Proposals.
- Timetable.
- Double Lock.
- Operation of Referendums.
- Abolition of Capping.
- Questions for Consultation.

There were no financial implications arising directly from this report, however, should the proposals in the Consultation Paper be implemented they would have implications for the Council's budget setting process and also the uncertainty around a referendum on a precepting or Parish Authority's Tax could result in delays to payments to the Council with consequent cash flow and collection losses.

Although electoral managers have identified several practical issues and concerns in respect of implementing referendums, it was nevertheless likely that the proposals would be implemented in some form. The Consultation Paper itself stated that the proposals were part of the rebalancing of the role of the central state and local communities, wherever possible empowering local communities and legislation to achieve this would be introduced at the "earliest opportunity".

The Parliamentary processes involved meant that the proposals would probably take effect for the financial year starting April, 2012, with the current capping regime being maintained in the meantime. It was not clear how these proposals would interact with the Coalition Government's proposal to implement a freeze on Council Tax from April, 2011.

Cabinet Members took account of the proposals and expressed concern for local precepting authorities such as town and parish councils, which issue precepts to billing authorities for the collection of Council Tax on their behalf.

Resolved:- That the proposed response to the Consultation Paper be approved.

C65 EXCLUSION OF THE PRESS AND PUBLIC.

Resolved, that under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act (information relates to finance and business matters).

C66 LAND TO REAR OF 77- 81 CLOUGH ROAD, MASBROUGH

Councillor Smith, Cabinet Member for Regeneration and Environment, introduced a report by the Strategic Director of Environment and Development Services, which advised on the options for the future use and strategy for the management of land to the rear of 77 – 81 Clough Road, Masbrough.

The report set out further information in relation to:-

- Description and Location.
- History.
- Planning Status.

The financial information and risks and uncertainties associated with this land's future use were set out in detail in the report.

Resolved:- (1) That proposals to retain the site be approved.

(2) That the temporary tenancies on the subject land be terminated and tenants be offered alternative plots, should they wish to cultivate an allotment

(3) That if the tenants did not wish to lease alternative allotment plots, then the let subject land be offered on flexible garden tenancies.

C67 LAND ADJACENT TO 18 BROOKSIDE, SWINTON

Councillor Smith, Cabinet Member for Regeneration and Environment, introduced a report by the Strategic Director of Environment and Development Services, which sought approval for the disposal of the above-mentioned land which was surplus to the requirements of the Department of Housing and Neighbourhoods.

The financial information and risks and uncertainties associated with this land's disposal were set out in detail in the report.

Resolved:- (1) That the disposal of the asset initially on the basis set out in Option 4 of this report is approved, and in the event of this failing to produce best consideration, the asset is to be sold on the basis set out in Option 3.

(2) That the Director of Asset Management is instructed to negotiate the terms of the disposal.

(3) That the Assistant Chief Executive, Legal and Democratic Services, is instructed to complete the necessary documentation.

C68 ACQUISITION AND DISPOSAL OF LAND AT BEIGHTON

Councillor Smith, Cabinet Member for Regeneration and Environment, introduced a report by the Strategic Director of Environment and Development Services, which detailed the negotiations that had taken place and, therefore, sought approval for the acquisition and also subsequent disposal of development lands at Beighton, located within the Rother Vale Ward, but close to the borough boundary with Sheffield.

The financial information and risks and uncertainties associated with the lands' acquisition/ disposal were set out in detail in the report.

Cabinet Members sought clarification on the reasons and future plans for the acquisition and disposals of lands.

Resolved:- That the proposed acquisition and subsequent disposal of relevant lands on the agreed terms reported be noted and the proposed transactions be approved.

(THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AID THE DISCUSSIONS THAT WERE NOW TAKING PLACE)

C69 RAW MARSH CUSTOMER SERVICE CENTRE

Further to Minute No. 42 of the meeting of the Cabinet held on 10th August, 2010, Councillor Smith, Cabinet Member for Regeneration and Environment, introduced a report by the Strategic Director of Environment and Development Services, which set out details of the progression of the design for Rawmarsh Customer Service Centre based on Barbers Avenue.

Following a full review of services already provided within the localities of Rawmarsh and Silverwood, it was decided that options be reviewed. However, following the Council's decision NHS Rotherham provided further information, contained within the report.

The financial information and risks and uncertainties associated with the centre were set out in detail in the report.

Cabinet Members supported proposals to proceed with the scheme.

Resolved:- (1) That the information provided by NHS Rotherham on 31st August, 2010 be noted.

(2) That the Council continue to develop the planned Rawmarsh Customer Service Centre at Barbers Avenue.