#### **CABINET**

**Town Hall, Moorgate** 

Venue: Street, Rotherham. S60 Date: Wednesday, 17 November 2010

2TH

Room: Council Chamber Time: 10.30 a.m.

#### AGENDA

1. Questions from Members of the Public

- 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. Minutes of the previous meeting held on 3rd November, 2010 (copy supplied separately)
- 5. Budget 2010/11 (Pages 1 9)
  - Strategic Director of Finance to report.
- 6. Photovoltaic Panels on Eight Rotherham Schools (Pages 10 12)
  - Strategic Director of Environment and Development Services to report.
- 7. Highways Enforcement Policy (Pages 13 19)
  - Strategic Director of Environment and Development Services to report.
- 8. Advanced Manufacturing & Materials Sector The Advanced Manufacturing Park and the Opportunity for the Region in the Emerging Civil Nuclear Industry (Pages 20 28)
  - Strategic Director of Environment and Development Services to report.
- 9. Members' Training and Development Panel (Pages 29 35)
  - Chief Executive to report.
- 10. Exclusion of the Press and Public

The following items are likely to be considered in the absence of the press and public as being exempt under those paragraphs listed below of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006).

- 11. Commissioning, Policy and Performance Functions (Pages 36 44)
  - Strategic Director of Neighbourhoods and Adult Services to report.

(Exempt under Paragraph 2 of the Act – information which is likely to reveal the identity of an individual)

- 12. Regeneration Review (Pages 45 63)
  - Strategic Director of Environment and Development Services to report.

(Exempt under Paragraph 2 of the Act – information which is likely to reveal the identity of an individual)

- 13. Financial Services Review (Pages 64 74)
  - Strategic Director of Finance to report.

(Exempt under Paragraph 2 of the Act – information which is likely to reveal the identity of an individual)

# Page 1 Agenda Item 5 ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS

1	Meeting:	Cabinet
2	Date:	17 <sup>th</sup> November 2010
3	Title:	2010/11 Budget
4	Directorate:	Financial Services

#### 5 Summary

This report outlines the impact on the Council of the Government's Emergency Budget and reductions in public spending announced this summer. The report also provides details of the pressures on the Council's Revenue Budget that have been identified as part of the monitoring process during the first half of the 2010/11 financial year.

In response, the Council has put forward budget proposals which clearly and positively set out how it is to address the implications of both the grant reductions and in-year budget pressures. This Budget will enable the Council to deliver its corporate priorities, protect front line services, safeguard the most vulnerable and make a positive difference to the wellbeing of the people of Rotherham while protecting the ongoing financial position of the Council.

#### 6 Recommendations

#### Cabinet is asked to:

- Note the contents of this report;
- Recommend to Council the proposals regarding the Council's Revenue Budget for 2010/11;
- Determine any further actions to ensure that the Council's spending in 2010/11 remains within the approved Revenue Budget; and
- Note the reductions in the Council's capital funding and the actions proposed to address them.

#### 7 Proposals and Details

- 7.1 Over the summer, since it came to office in May, the new Coalition Government has made several announcements directed at correcting the structural deficit in the nation's public finances. Initial reductions of £1.166bn from specific grants made to local government in 2010/11 were announced on 24 May 2010, followed by an Emergency Budget in June and details of other grant reductions leading up to the Comprehensive Spending Review (CSR) last month.
- 7.2 Of the £1.166bn savings required from local authorities this year; £288m (24.7%) is being taken from capital grants and £878m (75.3%) from revenue funding streams. The grants affected include Area Based Grant (ABG), LAA Reward Grant, LABGI, Housing and Planning Delivery Grant and Housing Market Renewal Funding. The main grant streams affected are:
  - The Council's ABG allocation has been reduced by £2.406m. The largest single element of this is £2.1m of DfE grants to Children and Young People. This grant cut has resulted in reconfiguration of the School Effectiveness Service and reductions in support for young people across a variety of projects.
  - LAA reward grant is reduced by £2.8m (split evenly between revenue and capital funding). Planned spend across all partners has been reprioritised to focus the reduced resources on priority activities only.
  - The Local Authority Business Growth Incentive scheme (LABGI) £0.21m ceases. This funding was already committed to fund advice services and therefore remains a priority for the Council to fund.
  - Government support for Free Swimming for the under 16s and over 60s ended from 31<sup>st</sup> July, however Council decided to continue to support this initiative until the end of September this year.
  - Migration Impacts Fund: the Council (and partners) will only receive half of its expected allocation this year, giving rise to a pressure of £0.084m. This funding supports the delivery of contracts signed prior to notification of funding reductions with CAB, Unity Centre Roma Project and ESOL. Consequently this now needs to be funded by the Council.
  - On July 14<sup>th</sup> further reductions in funding for Children and Young People's services (over and above the loss of ABG) were announced by the Department for Education including the loss of £0.361m of revenue funding in the form of Play Pathfinder and 0-7 Partnership Pilot funding. These grant reductions were expected and therefore spending plans had not been developed or funding committed.
- 7.3 The total reduction in revenue grants and funding is currently £5.020m. It has been possible to put in place actions to address £3.628m of this leaving an outstanding pressure of £1.392m (£0.509m loss of LAA Reward Grant and £0.883m other grant and funding reductions).
- 7.4 The Chancellor's Emergency Budget announced a number of measures that will not take effect until next April and will be fully reflected in the Council's

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2011/12 Budget and Medium Term Financial Strategy (MTFS). There were however some proposals that will have an impact in the current financial year. In particular, a two year pay freeze for public sector workers earning over £21,000 and a flat rate £250 annual increase for those earning less. The Local Government Employers' organisation has recently reiterated that local government pay "remains a matter for free collective bargaining between the national employers and trade unions through the National Joint Council ...... The position on local government pay for 2010/11 is that the employers have not offered an increase." In line with the position of the LGE, the Council has not budgeted for an increase in Management, Admin and Clerical pay this year.

- 7.5 The Emergency Budget also provided an indication of some of the contents of last month's Comprehensive Spending Review, such as a freeze on Council Tax from April 2011 which, as the CSR announced last month, will be funded by a grant. In addition, details of proposals to replace Council Tax Capping with local referendums on Council Tax increases were released for consultation at the end of July. The impact of CSR itself continues to be assessed and the full implications of the proposals on local authority funding will become clearer when the local authority's specific settlement is released at the end of this month or in early December.
- 7.6 As well as the loss of revenue resources the recent grant reductions have had an impact on the capital resources available to the Council. In total 2010/11 capital resources have reduced by £4.958m including:
  - £1.4m of LAA reward grant. This reward grant would have been available to support future initiatives.
  - Transport capital funding £0.570m plus Rotherham's share of the reduction in funding for the South Yorkshire Strategic LTP - £0.915m. Loss of the £570k has resulted in the LTP being revised by removing or reducing a number of schemes. Loss of the £915k halted improvements to the A57 and Waverley Link Road, however, recent announcements potentially provide an alternative funding solution. Details are awaited.
  - DfE capital grants of £0.766m (including, Harnessing Technology Capital Grant £0.55m). This has resulted in a 50% reduction in allocations to schools for ICT.
  - Yorkshire Forward support for projects like the Weirside Public Realm and Deck of Cards £0.940m. Alternative options for delivery of these schemes are being explored.
  - £0.697m of funding from the Housing Market Renewal Programme for Neighbourhoods and EDS programmes. The capital programme activity which was planned for 2010/11 but had not been initiated has been deferred to await identification of future funding opportunities.
- 7.7 Changes to Capital funding is being kept under review in the light of ongoing announcements from ministers and as the impact of developments including the cancellation of Building Schools for the Future (BSF) is assessed and the recent announcement of the cancellation of the Housing Market Renewal Pathfinder. The impact of changes in capital resources will be factored into

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capital programme as they are assessed and a report on the revised capital programme is being prepared for consideration by Cabinet later this month.

#### 7.8 Revenue Budget 2010/11

In addition to the pressures resulting from the recent Government announcements, the ongoing revenue budget monitoring process has identified significant budget pressures in the Children and Young People's Directorate, specifically in the area of Social Care. Other Directorates have identified and implemented a number of management actions which assist in reducing the overall in-year financial pressure facing the Council.

**Children and Young People's Service** is forecasting a net overspend of +£5.1m. Work continues to drive the overspend down as far as possible whilst ensuring that children's needs are met. The main area of overspend is Children's Social Care with a forecast overspend of £5.4m. There are also non-social care pressures across the Directorate and a number of savings which mitigate this forecast overspend down to £5.1m. The key pressures in the Directorate are as follows:

- £3.613m forecast overspend relating to Looked After Children. At the time of setting the budget it was assumed that an average of 14 residential placements would need to be supported throughout the year at an average cost of £3,463 per week. Actual numbers have shown a net reduction of 1 since the end of March 2010 with current residential care placements being 23. The residential care forecast overspend is £2.020m. (82% above budget). The number of children in Independent foster care is 112 (an increase of 17 since the end of March). The annual budget will support 65 full year equivalent placements at a current average unit cost of £897. The 47 placements above budget has resulted in an additional forecast cost of £1.554m (+51% above budget). The forecast overspend in this area has been partially offset by expected savings as result of the anticipated recruitment of new foster carers during the year.
- £1.668m forecast overspend relating to Commissioning and Social Work mainly attributable to agency staff costs (£1.521m) and non achievement of vacancy factor (£138k)
- £156k forecast overspend on Other Children & Families services due to non-achievement of the vacancy factor target (£114k) and projected overspends on inter-agency adoption costs (£75k), Adaptation costs (£75K), Leaving Care Services (£23K) and supplies & services (£29K). These are partially offset by projected underspends on Adoption Allowances (£140K) and Special Guardianship allowances (£20K)
- £93k forecast overspend on Home to School Transport due to changes in (needs-led) requirements on Home to School Transport (£68K) and forecast non-achievement of vacancy factor (£25k).
- £99k forecast over-spend on the Strategic Management account largely due to increased central support charges and ICT costs (£75K) and the costs projected to be incurred from the Ofsted inspection (£17K).

- £84k forecast overspend on Youth & Community through a forecast under-recovery of income from the Outdoor Education Service (£26k) as a result of the current economic climate, and non-achievement of the Youth Service vacancy factor (£58k).
- £245k forecast overspend on Support Services & Management Costs due to a projected overspend on Legal fees resulting from the continuing high numbers of Looked After Children (£200K) and Agency costs for a Service Manager post (£45K).

The above pressures are partially offset by underspends made up from redistribution of grant (£460k), below budget pension costs (£22k), additional income generation from SEN Extra District placements and services traded with Schools (£186k), staff slippage (£119k) and below budget SEN placements (£85K).

**Environment and Development Services Directorate** is currently forecasting an underspend of £177k which consists of the following:

- £310k Asset Management forecast overspend. The key pressures for this Service remain Office Accommodation costs at £300k above budget, the vacancy management target which the Service may find difficult to achieve in the year (£85k), and the impact on revenue of property related costs which are unfunded (£85k). However, these pressures are partially mitigated by savings identified across the Service due to staffing savings and additional income generation. (£160k).
- £273k Culture and Leisure forecast underspend. The position for Culture and Leisure Services is mainly due to the inclusion of staff savings as a result of retirements and voluntary severance, and a one-off saving of £70k from the Materials Fund.
- £70k Regeneration and Planning forecast overspend. The Service continue to work through the reductions in grant funding from Yorkshire Forward and reductions in fees that are claimable against capital projects, and have managed to reduce this to a pressure of £74k. The vacancy management target of £129k will be difficult to achieve in year due to other pressures within services. There is a pressure of £45k within Building Control as the income target not being achieved due to the continued economic climate. These pressures are being mitigated by some in year savings offered, reducing the use of RERF (Rotherham Economic Regeneration Fund) by £50k, reduced use of LDF (Local Development Framework) budget £65k, along with staff savings due to vacancies & retirement £63k.
- £284k Streetpride forecast underspend. There are two key pressures identified within the service; Street Cleansing (£25k) and emergency maintenance (£32k). These pressures are being mitigated by savings across the Service and include staff savings as a result of retirements and voluntary severance. The key reasons for the forecast underspend are: Green waste charging, changes to

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Christmas waste collection, reduced Public Rights of Way maintenance (£25k), reduced gully emptying (£15k), reduced opening hours at household waste recycling centres (£15k), wheeled bin income (£50k) and additional fee income (£26k).

**Neighbourhoods and Adult Services Directorate** is currently forecasting net saving of £1.140m by the end of 2010/11. There are a number of pressures within the Directorate which are also being managed in producing this forecast outturn. These are:

- £135k pressure within Commissioning & Partnerships in respect of a restructure agreed as part of this year's budget setting process, which now forms part of the corporate review on policy and performance and commissioning. The Government announcement to cut the full Supporting People Admin grant in year is being contained within the procurement process, non recruitment to vacant posts and income carried forward from previous years.
- £603k forecast overspend within Older Peoples' Home Care Service due to increased demand for maintenance care within the independent sector.
- £77k pressure on independent home care within Physical and Sensory Disability Services due to a continued increase in demand. An additional 55 new clients on service since April (+817 hours).
- £362k budget pressure on client income within in-house residential care.
- £293k overspend against budget within Learning Disabilities Day Care Transport.
- £495k pressure on Direct Payments. Additional 64 new clients since April, mainly within the mental health and physical and sensory disabilities client groups.
- £100k slippage on introduction of new day care charge.

These pressures are being reduced by the following forecast underspends within Health and Well Being:-

- £755k forecast underspend on independent sector residential and nursing care due to less actual placements than planned (-33) and additional income from continuing health care and property charges.
- £278k continued underspend employee costs within Extra Care Housing.
- £117k underspend within Transport Unit within employees and leasing costs plus additional income.
- £505k forecast underspend within Learning Disabilities residential and nursing care due to admissions less than planned.
- £66k continuing Health Care Income for Supported Living Scheme within Physical and Sensory Disabilities.
- £157k saving on vacant posts within Assessment & Care Management as part of vacancy management.
- £62k forecast underspend on Richmond Fellowship SLA is reducing the pressure on mental health direct payments.
- £17k underspend on Independent Living within Extra Care Housing due to slippage in vacant posts and a slight underspend on Rothercare Direct in respect of additional income.

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 £96k - Housing and Neighbourhood Services forecast underspend, primarily as a result of the increasing number of vacant posts due to Voluntary Severance and Early Retirement

The Directorate has also implemented further savings to help mitigate the Councils wider in year budget pressures:

- £250k Deferral of the implementation of community based alternatives to residential care.
- £90k Flexible one-off use of Social Care Reform Grant.
- £10k Efficiencies through merging Adult Social Care and Supporting People Commissioning Staff.
- £18k Commissioning Learning Disabilities training externally rather than through direct provision.
- £500k Additional contribution from health towards the cost of Continuing Health Care provision. (This is a projected income from NHS Rotherham. Any in-year change to the basis of health contributions may impact on this income level being achieved).
- £100k Merging of Home Care Enabling and Wardens Services to deliver efficiencies and better customer outcomes.
- £76k Reconfiguration of Neighbourhood Wardens and Neighbourhood Partnership Services.

#### Chief Executive's

The Chief Executive's Directorate is currently forecasting a saving of £207k as a result of taking the following actions:

- £31k Reorganising working practices and patterns
- £25k In year reduction of non-essential Training & Development spend
- £83k Review of subscriptions, non-pay costs, ICT budgets and cessation of the 'Place Survey'
- £13k Refocus of HR support budgets (Management Development, staff awareness raising sessions, etc)
- £55k Generation of one-off income

#### **Financial Services**

Financial Services Directorate is currently forecasting a saving of £225k due to not filling posts and reconfiguring and reprioritising work when staff leave the Directorate and more recently, through savings from staff being supported with voluntary severance and flexible retirement applications. The Directorate has also generated some additional income and delivered savings through improved collection rates on sundry accounts.

#### 2010/11 Service Reviews

The current year's budget included several cross-cutting reviews (Admin and Back-office functions, Management, Performance and Quality, Asset Management and Procurement) which were planned to deliver £1.776m of savings. Collectively these targets have broadly been met.

#### **Accounting Opportunities**

Recent changes to Accounting requirements under International Financial Reporting Standards (IFRS) have provided an opportunity for elements of the Council's capital financing, in particular the Minimum Revenue Provision (i.e. the amount set aside to meet future liabilities),to be reconfigured while maintaining a prudent provision. This has enabled the freeing up resources which can be made available to support the Council's current in-year financial pressure (£2.2m).

#### 7.11 The Financial Challenge

Mitigating the impact of the reductions in Government funding and addressing the in-year budget pressures described represents a significant financial challenge for the Council. The proposals outlined to address this significant challenge have been developed with the intention of addressing the key priorities and ambitions of the borough, safeguarding the most vulnerable, protecting front line services and with a focus on the customer through reducing bureaucracy and joining up services and delivering key investment priorities across the borough.

Nevertheless, despite the actions outlined above, a shortfall of £603,000 remains, and it is therefore proposed that this should be funded from general reserves and balances. Having reviewed the risks to which the Council's Budget is exposed, and having regard to the exceptional nature of in-year funding losses, use of general reserves and balances to this limited extent is deemed both appropriate and prudent.

The table below therefore summarises the net in-year revenue pressures currently facing the Council and the proposed method of funding these:

	£'000
C&YPS Budget Pressures	5,100
C&YPS (ABG)	518
EDS	-177
NAS	-1,140
Chief Executive	-207
Financial Services	-225
Unmitigated loss of LAA Reward Grant	509
Unmitigated loss of Other grants	365
Use of specific reserves & balances and contingency fund	-1,000
ICT Capitalisation	-760
Slippage in un-ringfenced Supporting People Grant	-180
Accounting Opportunities	-2,200
Net forecast in-year deficit	603
Proposed Use of General Reserves & Balances	-603

#### 7.12 Other savings opportunities

The Council's current voluntary severance scheme is also expected to generate ongoing savings from the release of staff that are not part of any reviews and the deletion of non essential posts that fall vacant as described above. There may also be further in-year savings resulting from additional reviews which are currently taking place across the Council including Localities, Financial Services, School Effectiveness Service, Regeneration, Comms. & Marketing Review, etc. Savings from these additional reviews will however, in the main, be delivered from April 2011.

#### 8. Finance

The financial issues are discussed in section 7 above.

#### 9 Risks and Uncertainties

As indicated, the Council is facing significant financial challenges which will require difficult decisions and actions to address. Although most of the issues surrounding resource reductions are known, there is still some uncertainty with respect to the implications of the CSR for the Council and the borough. The budget proposals put forward to meet the in year pressures will need to be carefully managed so as to ensure the Council is able to meet its revised financial plan.

#### 10. Policy and Performance Agenda Implications

The delivery of the Council's Revenue Budget within the parameters agreed at the start of the current financial year is essential if the objectives of the Council's Policy agenda are to be achieved.

#### 11. Background Papers and Consultation

- Proposed Revenue Budget and Council Tax for 2010/11 Report to Cabinet 24 February 2010.
- Revenue Outturn 2009/10 Report to Cabinet 7<sup>th</sup> July 2010.
- The Chancellor's Emergency Budget Statement 22 June 2010.

**Contact Name:**, Andrew Bedford Strategic Director of Finance andrew.bedford@rotherham.gov.uk

## **ROTHERHAM BOROUGH COUNCIL - REPORT TO CABINET**

1.	Meeting:	Cabinet
2.	Date:	17th November, 2010
3.	Title:	Photovoltaic Panels on 8 Rotherham Schools
4.	Directorate:	Environment and Development Services

## 5. Summary

In partnership with Nationwide Solar, Rotherham Council intends to fit large arrays of photovoltaic panels on 8 schools in Rotherham:

School	PV Size (kW)	Projected Energy Output (kWh / yr)
Anston Greenlands Primary	33	27,000
Anston Hillcrest Infants	15	12,300
Anston Hillcrest Junior	19	15,500
Thrybergh Primary	16	13,100
Rawmarsh Sandhill Primary	26	21,300
Rockingham Primary	33	27,000
Greasbrough Junior & Infant	33	27,000
St Bedes Primary	22	18,000

The capital costs will covered by Low Carbon Building Grants (50%) and Nationwide Solar (50%). Nationwide Solar will claim the Feed in Grants (set for 25 years by Government) for total kWh generated. Schools will receive free electricity and 10% of the Feed in Tariff.

#### 6. Recommendations

1. Cabinet approve the schools PV project.

#### 7. Proposals and Details

Feed in Tariff (FITS) was introduced in April 2010 to incentivise small scale low carbon electricity generation (less than 5MW). The scheme guarantees a set amount that can be claimed for every kW generated over the next 25 years. The tariff up to 2013 for PV panels are:

Yr 1: 1/4/10 – 31/3/11	Yr 2: 1/4/11 – 31/3/12	Yr 3: 1/4/12 – 31/3/13
31.4 p/kWh	31.4 p/kWh	28.7 p/kWh

The Low Carbon Buildings Grant scheme allowed public organisations to apply for up to 50% of the installation costs for renewable micro-generation systems. Applications were submitted for 62 Rotherham Schools before the scheme closed on 24 May 2010. Of the 62 applications 8 schools succeeded in securing grants:

School	Low Carbon Building Grant
Anston Greenlands Primary School	£85,892.41
Anston Hillcrest Primary School	£39,768.82
Anston Hillcrest Junior School	£50,051.84
Thrybergh Primary School	£42,189.58
Rawmarsh Sandhill Primary School	£67,897.12
Rockingham Primary School	£85,892.41
Greasbrough Junior & Infant School	£85,890.91
St Bedes Primary School	£57,614.11

Projects must be complete and grants claimed by 28 February 2011. Department of Energy and Climate Change announced in September 2010 that Low Carbon Building Grants and FITS could be utilised on the same project.

Nationwide Solar will install, maintain, insure and monitor the PV systems at no cost to the school or RMBC. Capital costs will be re-claimed by Nationwide Solar by claiming the FITS.

Agreement for the project will be sought through Head Teachers; Governors; Education; Capital Strategy, Strategic Leadership Team and Cabinet. All lease documents will be checked by the Legal Department and signed by Assistant Director of Legal Services.

#### 8. Finance

Projected figures show a substantial annual saving on electricity bills:

School	PV Size (kW)	Average p/kWh Utility Rate (p/kWh)	Projected Energy Output (kWh / yr)	Projected Saving (Av. 20010/11 contract price)
Anston Greenlands Primary	33	8.719	27,000	£2354.13
Anston Hillcrest Primary	15	7.308	12,300	£898.88
Anston Hillcrest Junior	19	10.131	15,500	£1570.30
Thrybergh Primary	16	10.131	13,100	£1327.16
Rawmarsh Sandhill Primary	26	10.131	21,300	£2157.90

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Rockingham Primary	33	10.131p	27,000	£2735.37
Greasbrough Junior & Infant	33	7.720	27,000	£2084.40
St Bedes Primary	22	10.131p	18,000	£1823.58

The capital costs will be covered by Low Carbon Building Grants (50%) and Nationwide Solar (50%). Nationwide Solar will claim the Feed in Grants (set for 25 years by Government) for total kWh generated. Schools will receive free electricity and 10% of the Feed in Tariff.

#### 9. Risks and Uncertainties

There is a risk that Government will cancel the Feed in Tariff. The risk is primarily taken by Nationwide Solar who is investing the capital in the project.

Projections of kWh output and potential financial savings are based on light level analysis carried out by Nationwide Solar engineers and are to be taken with caution. Actual output is weather/light level dependant.

#### 10. Policy and Performance Agenda Implications

Reducing energy consumption saves money and contributes to National and RMBC CO<sub>2</sub> reduction targets.

## 11. Background Papers and Consultation

Consultation and authorisation is being sought from all interested parties.

#### **Contact Names:**

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David Rhodes, Environmental Manager ext: 54017

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#### **ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS**

1.	Meeting:	CABINET
2.	Date:	17 <sup>TH</sup> NOVEMBER, 2010
3.	Title:	HIGHWAYS ENFORCEMENT POLICY
4.	Directorate:	ENVIRONMENT AND DEVELOPMENT SERVICES

#### 5. Summary

The report presents a proposed Highways Enforcement Policy to Cabinet Member for adoption, encompassing a set of common principles for highways enforcement.

#### 6. Recommendations

That the Highways Enforcement Policy attached at Appendix 1 to the report reflect the revised procedures relating to highways enforcement followed within Streetpride and be recommended for adoption by Council.

#### 7. Proposals and Details

In undertaking the duties and exercising the powers of the highway authority Streetpride, on behalf of the Council, are required to take a range of enforcement actions in relation to the use and abuse of the highway, including public rights of way, and in the control of street works activities.

In exercising these powers the principles contained within the Government's Concordat on Good Enforcement have been followed but to date no formal Highway Enforcement Policy had been produced. This was identified as a weakness following the outcome of a Complaint Panel decision last year.

Neighbourhoods and Adult Services have followed a 'General Enforcement Policy' for a number of years with the latest policy review being agreed by Cabinet in 2008. That document has been used as a basis for the development of the Highways Enforcement Policy attached as an appendix to this report.

The proposed policy provides a set of common principles upon which enforcement activities will be based promoting fairness, openness, consistency and proportionate action based on risk assessment.

It is proposed to review the procedures relating to enforcement in the Quality Management System that are used for Street Works, Highways and Public Rights of Way enforcement to reflect the adoption of the policy.

It is also proposed to publish the policy on the Streetpride pages of the Council's web site for the information of the public.

#### 8. Finance

Adoption of the policy has no financial implications for the Service.

#### 9. Risks and Uncertainties

Formal enforcement action is not always pursued where to do so might be perceived as unreasonable. Where the investigations have followed a report from residents or the general public this might result in a negative perception of the service where the reporter expected immediate enforcement action.

#### 10. Policy and Performance Agenda Implications

Effective enforcement has a primary purpose of protecting the safety of highway users (safe). It serves to prevent unnecessary disruption on the network benefiting businesses as well as the general travelling public (achieving). It also contributes to 'Looking after and improving the environment'.

## 11. Background Papers and Consultation

This report had been presented to and supported by the Cabinet Member for Regeneration and Environment on the 1<sup>st</sup> November, 2010.

**Contact Name**: Robert Stock, Network Principal Engineer, Streetpride Service, ext. 22928, bob.stock@rotherham.gov.uk

#### HIGHWAYS ENFORCEMENT POLICY

This document is the Highways Enforcement Policy for Rotherham Metropolitan Borough Council. It is based on the principles of transparency, consistency and proportionality and sets out the key principles under which officers will seek to achieve compliance with highways legislation. The policy should be read in conjunction with any applicable service specific policies and procedures.

#### 1 Introduction

Our purpose is the delivery of efficient, targeted and proportionate regulation of activities on the highway network focused by risk assessment to provide a positive approach to stakeholders (residents, businesses highway users) and compliance. A number of outcomes under the Council's headline priority of 'Looking after and improving the environment' are supported by providing protection for the safety of all highway users and reducing disruption and congestion across the highway network enabling businesses to flourish and encouraging investment.

#### 2 Safer and Improved Roads

We will actively contribute to making Rotherham a place where neighbourhoods are safe for everyone.

The potential for disruption to highway users will be a significant factor in deciding the most appropriate approach to be adopted.

#### 3 Fairness

We will consider the impact that our enforcement activities may have on residents and businesses, including consideration of costs, effectiveness and perceptions of fairness. We will endeavour to keep any perceived burdens, including financial, to a minimum.

#### 4 Risk Assessment

We will allocate our resources to where they will be most effective by assessing the risks due to non-compliance with the law. The risk factors will include:

- The potential impact on residents, highway users and business.
- The likelihood of disruption to the network and risk to users arising from non-compliance.

#### 5. Advice and Guidance

We recognise that prevention is better than cure and will actively work with utilities, businesses and residents to provide advice on and assistance with compliance with highway law.

In doing this we will ensure that:

Legal requirements are made available and communicated promptly upon request.

- The information we provide will be in clear, concise and accessible language and will be confirmed in writing where necessary.
- We will clearly distinguish between legal requirements and guidance aimed at improvements above minimum standards.

#### 6 Inspections and Other Visits

All inspections and other visits to residents and businesses will be undertaken taking into account the level of risk presented by any abuse of the highway, with resources being directed towards those activities that demonstrate the highest risk. Additional intelligence sources will also be used (for example complaints and reports received by the Council) that may trigger a visit / inspection.

- Where we carry out inspections we will give feedback to the resident or business concerned on what the officer has found.
- Random inspection will be undertaken in the normal course of our officers daily activities. Follow-up inspections may also be undertaken to test the effectiveness of any action we have previously taken or improvements we have requested.

#### 7 Compliance and Enforcement Actions

We recognise that most businesses and individuals strive to comply with the law, however firm action will be taken against those who flout the law or act unreasonably or irresponsibly.

We will carry out all of our enforcement duties, including taking formal enforcement action, in a fair, equitable and consistent manner. Whilst officers exercise judgement in individual cases, we will have arrangements in place to promote consistency including liaison with other agencies and authorities.

Formal enforcement action will generally only be considered and taken in the first instance in cases where individuals or businesses are causing an unacceptable risk to public health, safety or welfare, causing a nuisance to highway users, otherwise unnecessarily causing disruption to the use of the highway, or other such situations that are considered to be so serious as to warrant formal action

Formal enforcement action will also be considered and may be taken where advice from highway officers has been ignored.

Where formal enforcement action is necessary, we will consider the most appropriate course of action (from the range of actions and penalties available) with the intention of:-

- Aiming to secure public safety
- Aiming to change the behaviour of the offender
- Being responsive and considering what is appropriate for the particular offender and issue involved.
- Being proportionate to the nature of the offence and harm caused

- Aiming to restore the harm caused by non-compliance
- Aiming to deter future non-compliance.

Before formal enforcement action is taken:

- Where appropriate there will be an opportunity to discuss the circumstances of the case, unless immediate action is required due to there being an imminent risk to the environment or health and safety.
- Where immediate formal enforcement action is taken, which will usually be the service of a written notice, reasons for such action will be given at the time (if possible) and confirmed in writing within 10 working days.
- Where there are rights of appeal against formal enforcement action, notification of the appeal mechanism will be clearly set out in writing at the time the action is taken.
- Clear reasons will be given for any formal enforcement action taken, and confirmed in writing.

For the purposes of this policy 'formal enforcement action' includes the serving of statutory notices, the removal of property, carrying out works in default, the seeking of an injunction, direct intervention to remove sources of danger, and the instigation of legal proceedings. Where appropriate we will also take into consideration additional guidance and codes of practice, including service specific policies and procedures.

The decision to instigate legal proceedings will be determined by a number of factors, including:

- The seriousness of the alleged offence
- The history of the party concerned
- The willingness of the business or the individual to prevent a recurrence of the problem and to co-operate with officers
- Whether it is in the public interest to prosecute
- The realistic prospect of conviction
- Whether any other action (including other means of formal enforcement action would be more appropriate or effective
- The views of any complainant and other persons with an interest in prosecution.

These factors are NOT listed in order of significance. The rating of the various factors will vary with each situation under consideration.

#### 8 Accountability

We will be accountable for the efficiency and effectiveness of our activities, while remaining independent in the decisions we take.

- We shall provide utilities, businesses and individuals with effective consultation and opportunities for feedback on our service.
- Officers will be courteous, fair and efficient at all times, and will identify themselves by name.

#### 9 Equalities

We will give consideration to fairness, individual's human rights and to natural justice, in all aspects of our enforcement work.

We believe in openness and equality in the way we provide services to members of Rotherham's community and that every individual is entitled to dignity and respect.

When making enforcement decisions we aim to ensure that there will be no discrimination against any individual regardless of culture, ethnic or national origins, gender, disability, age, sexual orientation, political or religious beliefs, socio-economic status, or previous criminal conviction or caution which is not relevant to the current issue.

We understand that some members of the community may have specific requirements, which will need extra advice and assistance. Careful explanation will be given and if necessary the services of an interpreter may be used. Appropriate translated material will be arranged or practical help provided for people with impaired hearing, vision or other impairment.

#### 10 Complaints

All complaints about the services offered by the council will be dealt with in accordance with the Council's formal complaints procedure. An information leaflet, which explains the process, is available at all Council offices

#### 11 Application of our enforcement policy

All officers will have regard to this document when making enforcement decisions. Any departure from this policy must be exceptional, capable of justification and be fully considered by the head of service before a final decision is taken. This proviso shall not apply where a risk of injury or to health is likely to occur due to a delay in any decision being made. In cases of emergency or where any exceptional conditions prevail, the Chief Executive may suspend any part of this policy where necessary to achieve effective running of the service and/or where there is a risk of injury or to health of employees or any members of the public.

#### 12 Review

This document will be subject to an annual review with additional reviews as and when required. Improvements will be made if there are any changes in legislation or in local needs.

If you have any comments please contact the Streetworks and Enforcement Engineer by calling 01709 822962 or by writing to Streetpride Service, Bailey House, Rawmarsh Road, Rotherham, S60 1TD or email to streetworksenforcement@rotherham.gov.uk

#### **ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS**

1.	Meeting:	Cabinet
2.	Date:	17 November 2010
3.	Title:	Advanced Manufacturing & Materials Sector, The Advanced Manufacturing Park and the opportunity for the region in the emerging civil nuclear industry
4.	Programme Area:	Environment & Development Services - RiDO

#### 5. Summary

The attached report was debated by members at the Regeneration Scrutiny panel on 6<sup>th</sup> October. Members resolved to include an additional recommendation that the report be referred to cabinet and that in future budget discussions consideration be given to the importance of supporting the work done to assist the growth of the advanced manufacturing sector in Rotherham.

#### 6. Recommendations

i) Cabinet notes the attached report and the recommendations of the Regeneration Scrutiny Panel held on 6<sup>th</sup> October 2010

#### 7. Proposals and Details

There are two updates to add to the report since it was presented on 6<sup>th</sup> October

- i. UK Coal has announced a three year extension to the AMP vision.
- ii. Sheffield City Council in partnership with Rotherham, Barnsley and Doncaster Councils has submitted an outline business plan to Yorkshire Forward that if approved will fund some continued activity in this sector.

The minutes from the Regeneration Scrutiny panel are reproduced below:

ADVANCED MANUFACTURING & MATERIALS SECTOR, THE ADVANCED MANUFACTURING PARK AND THE OPPORTUNITY FOR THE REGION IN THE EMERGING CIVIL NUCLEAR INDUSTRY

Tim O'Connell, Business, Retail and Investment Team Manager, RiDO, spoke to the submitted report, supported by a PowerPoint presentation.

The report detailed the success of the Advanced Manufacturing & Materials (AMM) Team in attracting inward investment, developments at the Advanced Manufacturing Park (AMP) and the opportunities for the region in the emerging civil nuclear sector.

It was pointed out that the AMM Team was wholly supported through Yorkshire Forward single pot funding. The presentation covered the following:-

- world leading technologies in Rotherham
- strength of the local supply chain
- re-balancing the economy opportunities in the Advanced Manufacturing and Materials sector
- AMM Team achievements since April 2009
- key achievements
- location of existing companies within the AMP and its unique offer of developing transformational technologies
- UK manufacturing trends 1995 to 2007
- quality Jobs:- earnings and GVA high tech: medium-high tech; medium-low tech; low tech
- manufacturing jobs in Rotherham
- nuclear new build opportunities and as component suppliers
- civil nuclear renaissance
- civil nuclear industry key players
- challenges:- cessation of external funding
- why it matters
- Rotherham's favourable geographic location and links to the Humber ports.

Members of the Panel raised and discussed the following:-

- nuclear free commitment of the Council
- How many locally unemployed would qualify for the high quality jobs being created?
- the need to address the skills shortage on a variety of levels and in particular to engage with the comprehensive schools
- the risks posed to the Council though the ending of the Regional Development Agencies
- the need to stress that the AMP is located in Rotherham
- graduates who do not return to live and work in Rotherham due to the lack of top end jobs and career paths
- the recommendations in the submitted report, together with an additional recommendation to support the work of RiDO and to request consideration of continued investment in this area of work

Resolved:- (1) That the officer be thanked for the excellent presentation and the importance of the advanced manufacturing & materials sector to the Rotherham economy and the opportunities for the region as a result of

the emerging civil nuclear sector be noted.

- (2) That the Panel, in recognising the high value of the work undertaken by RiDO in respect of the AMP, request that Cabinet in future budget discussions, consider the continued investment in the team in order to support the future regeneration of Rotherham's developing economy.
- (3) That the advanced manufacturing and materials sector should continue to be a priority target sector for Rotherham Investment and Development Office (RiDO).
- (4) That the important role of the Advanced Manufacturing Park in developing a UK manufacturing growth hub in Rotherham and supporting the continuation of the AMP vision after the UK Coal and Yorkshire Forward joint venture ends be noted.
- (5) That, following the wind down and closure of the Regional Development Agencies, support be given to the retention and continued use of Yorkshire Forward's AMP assets in Rotherham to deliver the AMP vision and attract new investment into the AMM sector.

#### 8. Finance

Covered in the attached report

#### 9. Risks and Uncertainties

Detailed in the attached report

#### 10. Policy and Performance Agenda Implications

Detailed in the attached report

#### 11. Background Papers and Consultation

Interim Evaluation of Yorkshire Forward's Investment in the Programme 'Invest South Yorkshire' – Ekosgen, June 2010

Nuclear Industry Research Report – A report on the opportunities for inward investment in South Yorkshire – Anthony Cundall, April 2010

Advanced Manufacturing & Materials Sector, The Advanced Manufacturing Park and the opportunity for the region in the emerging civil nuclear industry – Report to Regeneration Scrutiny, Tim O'Connell and Anthony Cundall, RiDO, Oct 2010

#### **Contact Name:**

Tim O'Connell Business, Retail and Investment Team Manager Rotherham Investment and Development Office O1709 254563 Tim.o'connell@rotherham.gov.uk

#### ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS

1.	Meeting:	Regeneration Scrutiny Panel
2.	Date:	6 <sup>th</sup> October, 2010
3.	Title:	Advanced Manufacturing & Materials Sector, The Advanced Manufacturing Park and the opportunity for the region in the emerging civil nuclear industry
4.	Programme Area:	Environment & Development Services - RiDO

#### 5. Summary

This report outlines the success of the Advanced Manufacturing & Materials (AMM) Team in attracting inward investment, developments at the Advanced Manufacturing Park (AMP) and the opportunities for the region in the emerging civil nuclear sector.

#### 6. Recommendations

- i) That the Panel note the importance of the advanced manufacturing & materials sector to the Rotherham economy and the opportunities for the region as a result of the emerging civil nuclear sector.
- ii) The advanced manufacturing and materials sector should continue to be a priority target sector for Rotherham Investment and Development Office (RiDO)
- iii) Members note the important role of the Advanced Manufacturing Park in developing a UK manufacturing growth hub in Rotherham and support continuation of the AMP vision after the UK Coal and Yorkshire Forward joint venture ends.
- iv) That, following the wind down and closure of the Regional Development Agencies members support the retention and continued use of Yorkshire Forward's AMP assets in Rotherham to deliver the AMP vision and attract new investment into the AMM sector.

#### 7. Proposals and Details:

#### The Advanced Manufacturing & Materials Team (AMM)

The AMM Team is funded through the, Invest in South Yorkshire (ISY) Programme and is responsible for attracting advanced manufacturing and materials inward investment opportunities into the South Yorkshire area. The team has proved highly successful, attracting **nine** inward investments from outside the region. Including investments at the Advanced Manufacturing Park, this amounts to **173 jobs created**, with **£6.79million** of private sector investment.

The Team has developed a proactive approach to securing inward investment into the region. Direct contact with companies in the relevant AMM sectors has proved hugely successful along with networking with intermediates such as banks, accountants, solicitors and property agents, all of whom potentially hear of opportunities for expansion within companies. The goal of the AMM team has been to promote the region and secure investment where the opportunity exists.

An independent review on the ISY Programme by Ekosgen, carried out in June 2010, recognised the AMM Team as being the most successful inward investment element of the programme.

#### The Advanced Manufacturing Park (AMP)

The AMP in Rotherham is a joint venture between UK Coal and Yorkshire Forward. The Park is home to world class engineering and manufacturing firms such as Rolls Royce, Boeing and Castings Technology International, and space on the Park is reserved for firms involved in advanced manufacturing, materials or engineering.

The AMP is being positioned to become the UK's first Manufacturing Growth Hub. The Park already has a world wide reputation for innovation and excellence in manufacturing and if the growth hub status is achieved, it will position Rotherham as the UK's centre for manufacturing excellence and growth.

The AMP Technology Centre on the Park provides managed workshop and office space for start-up and early stage AMM companies. The Centre is currently owned by Yorkshire Forward, and following the announcement that Yorkshire Forward is due to close in March 2012, consideration should be given as to what happens with this key Rotherham based asset after the closure of Yorkshire Forward.

#### The Opportunities for the Region in the Emerging Civil Nuclear Sector

South Yorkshire has been an early beneficiary in the civil nuclear renaissance, with the announcement of the new Nuclear Advanced Manufacturing Research Centre (NAMRC), based at the Advanced Manufacturing Park. Rolls Royce is acting as lead industrial partner with the NAMRC. Rolls Royce is also proposing a purpose built civil nuclear manufacturing facility in South Yorkshire, with the Advanced Manufacturing Park nominated as one of the possible sites.

The emergence in the civil nuclear sector is worth circa £40billion to the UK economy over the next 15 years. South Yorkshire, particularly Rotherham and Sheffield, are expected to be major beneficiaries in the demand for precision forged, machined and engineered components. The AMP will also host the UK's only Knowledge Transfer Academy for Nuclear Engineering. To date, £25 million has been invested by Yorkshire Forward and The Department for Business, Innovation & Skills in the Nuclear AMRC, with a further £6.2 million of ERDF funding towards the Knowledge Transfer Centre.

The AMM Team has seen an increase in interest from engineering companies throughout the UK who recognise the Advanced Manufacturing Park, Rotherham, and the wider city region, as the key location for expanding their business in the civil nuclear sector. Companies who successfully penetrate the industry will also supply on a global scale. Rolls Royce estimates the global maintenance industry to be worth £36billion per year with the nuclear new build industry worth approximately £60billion per year.

The renaissance in the nuclear industry presents Rotherham and the wider community with probably the largest new industrial opportunity in living memory.

#### 8. Finance

The AMM Team is wholly supported through Yorkshire Forward single pot funding.

	April, 2009 to
	March, 2011
Salaries	£190,308
Marketing	£100,000
Total	£290,308

The AMM Team is a partnership with Creative Sheffield, who also has three people as part of the team. Their costs have not been included above.

#### Advanced Manufacturing Park and Nuclear AMRC

Costs as outlined in the text above

#### 9. Risks and Uncertainties

#### The AMM Team and The ISY Programme

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

This is a major risk for continuation of the programme as current funding ends for the AMM Team in March 2011.

If alternative funding is not found, then this successful programme will cease.

#### Advanced Manufacturing Park and Nuclear AMRC

Funding for the Nuclear AMRC has been secured and therefore any risk or uncertainty is considered minimal.

The current AMP joint venture and vision agreement between UK Coal and Yorkshire Forward ends in April 2011. There is no formal agreement in place to extend the vision beyond that date. The situation is further complicated by potential effects relating to the closure of Yorkshire Forward in 2012. Positive discussions have taken place with UK Coal and it remains vital that the Council continue to work in close partnership with UK Coal and Yorkshire Forward to secure the long term future of the AMP.

The immediate short term risk is what happens to the AMP Technology Centre after the closure of Yorkshire Forward. Presently, space in the Technology Centre has been reserved for companies only engaged in advanced forms of manufacturing. This approach has proved successful in assisting the growth of a cluster of advanced manufacturing companies and supporting the concept of the AMP at the heart of advanced manufacturing growth hub. The council is continuing to press the case that in transferring the assets of Yorkshire Forward to a successor there is a need to retain the focus of the AMP technology centre on this key sector and on delivering economic growth in the region.

#### 10. Policy and Performance Agenda Implications

The government has a stated policy objective of re-balancing the economy away from the public to the private sector. This will require strong, competitive business base

The AMM sector has growth potential and is a sector in which Rotherham is genuinely strong and internationally competitive. It is also a sector where gross value added (GVA) and wages rates are above average. Consequently growing the AMM sector is an essential element in meeting the Corporate Plan objective of more, higher paid jobs and is integral to Theme 1 of the Economic Plan; Productive and competitive businesses.

However, this presents challenges. Central to the competitiveness of the sector is the use of materials and techniques in new ways to produce better products at less cost. This means that the AMM sector is not a sector that creates large numbers of jobs and if it is to play a part in replacing some of the expected job losses in the public sector it will be necessary to significantly grow the size of the sector and its share of global markets. This will require not only improvements in innovation and productivity but continued focus and success in attracting inward investment.

The current approach to attracting inward investment in this sector has been a successful model highlighted in an external evaluation as a "fit for purpose" and "credible" delivery model of cross border collaboration and shared resourcing.

#### 11. Background Papers and Consultation

Interim Evaluation of Yorkshire Forward's Investment in the Programme 'Invest South Yorkshire' – Ekosgen, June 2010

Nuclear Industry Research Report – A report on the opportunities for inward investment in South Yorkshire – Anthony Cundall, April 2010

#### **Contact Name:**

Tim O'Connell Business, Retail and Investment Team Manager Rotherham Investment and Development Office O1709 254563 Tim.o'connell@rotherham.gov.uk

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#### **ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS**

1.	Meeting:	CABINET
2.	Date:	17TH NOVEMBER, 2010
3.	Title:	MEMBERS' TRAINING AND DEVELOPMENT PANEL MINUTES
4.	Directorate:	CHIEF EXECUTIVE'S

## 5. Summary

To consider Members' training matters.

#### 6. Recommendations

To receive the minutes of the meetings of the Members' Training and Development Panel held on 21<sup>st</sup> October, 2010.

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## 7. Proposals and Details

To ensure implementation of the Council's Training and Development Policy in accordance with the meeting's Terms of Reference.

#### 8. Finance

The Panel has its own training budget.

#### 9. Risks and Uncertainties

Without proper training and support being in place there is a risk that Members' capacity to make decisions is not soundly based.

#### 10. Policy and Performance Agenda Implications

To consider best practice in relation to Member training and development.

The aim is for every Elected Member to be given suitable opportunities for development and training to help support all aspects of their role.

#### 11. Background Papers and Consultation

A copy of the minutes of the meeting of the Members' Training and Development Panel held on 21<sup>st</sup> October, 2010, are attached.

**Contact Name :** Cath Saltis, Head of Scrutiny and Member Services, Chief Executive's Directorate – Tel. 01709 822779 <a href="mailto:cath.saltis@rotherham.gov.uk">cath.saltis@rotherham.gov.uk</a>

# MEMBERS' TRAINING AND DEVELOPMENT PANEL THURSDAY, 21ST OCTOBER, 2010

Present:- Councillor Sharman (in the Chair); Councillors Austen, Dodson, Gosling, Lakin, Littleboy, Pickering, Smith, St. John, Turner, Whelbourn and Wootton.

An apology for absence was received from Councillor Steele.

# 15. MINUTES OF THE PREVIOUS MEETING HELD ON 30TH SEPTEMBER, 2010

The minutes of the previous meeting held on 21<sup>st</sup> January, 2010 were agreed as a correct record.

With regards to the Minute No. 8 (Member Development Charter), a meeting was scheduled for the 2<sup>nd</sup> November, 2010 and appropriate feedback would be provided to Members.

In respect of Minute No. 9 (Sub-Regional Member Network) it was noted that a meeting had taken place this week with relevant officers, including representatives from the South Yorkshire Fire and Rescue Service and the South Yorkshire Police Authority, to develop and take forward the Sub-Regional Member Network on a South Yorkshire basis in order to share good practice and training.

In terms of Minute No. 10 (Corporate Parenting Training), it was noted that the first session had attracted only a few Elected Members, but the 2<sup>nd</sup> November session looked to be more popular with more Elected Members indicating their attendance.

With regards to Minute No. 13 (E-Payslips) questions were asked about the day and a half training session arranged specifically for Elected Members and the numbers that had actually attended. It was noted that for those that had attended the session was well received. Alternative arrangements would have to be made should Members request future assistance.

#### 16. CRB CHECKS FOR ELECTED MEMBERS

Further to Minute No. 12 of the meeting of this Panel held on 30<sup>th</sup> September, 2010, consideration was given to a briefing note circulated by Richard Waller, Non-Contentious Team Manager, which explained that criminal convictions and cautions are treated as "spent" after certain periods but that Criminal Records Bureau checks are an exception to this rule.

#### MEMBERS' TRAINING AND DEVELOPMENT PANEL - 21/10/10

The exceptions, which relate to certain occupations, positions involving working with children and vulnerable adults and gaming and lottery licences, were outlined. The Panel noted that section 14 of the Safeguarding Vulnerable Groups Act, 2006, which is not yet in force, empowers the Secretary of State to make regulations making it an offence for certain office holders to engage in a "regulated activity" without first having a CRB check and also makes it an offence if a person charged with ensuring an office holder engaged in a regulated activity has had a CRB check fails to do so.

The Panel further noted that until the provisions in the 2006 Act come into force there is no legal requirement for Elected Members to undergo a CRB check. However, taking into account Minute No. 47 of the meeting of the Cabinet held on 6<sup>th</sup> July, 2005, which specified that all Members should be CRB checked, Mr Waller suggested that the position be reviewed.

A discussion ensued and the following issues were identified for inclusion in the review:-

- The necessity for a CRB check of Members who were part of a committee that discharged education functions or functions relating to vulnerable adults.
- The necessity for Elected Members to have a CRB check in their capacity as "Corporate Parents".
- The necessity for multiple CRB checks in relation to the different functions that Elected Members undertake in their role as community leaders, including contact with young children and vulnerable adults as part of their official duties.
- The period in which a CRB check remains valid, particularly in relation to Social Services' functions.

Agreed:- That the Assistant Chief Executive (Legal and Democratic Services) be instructed to submit a report on CRB checks of Elected Members to the Performance and Scrutiny Overview Committee and Cabinet.

#### 17. PROJECT PROCEDURE

The Chairman welcomed Brian Barrett, Design Consultancy Manager, to the meeting and who gave a presentation on the new Project Procedure being implemented across the Council.

#### MEMBERS' TRAINING AND DEVELOPMENT PANEL - 21/10/10

The presentation drew specific attention to:-

- Definition of a project.
- Decision on the project, how it was to be delivered, what was to be delivered, implementation and review.
- The staged process.
- Checks on delivery and sign-off from project sponsor.
- Procedure Guide and the four stages of Identify, Justify, Develop and Deliver.
- Investment Circle Stages 1, 2, 3 and 4.

A discussion and a question and answer session ensued and the following issues were raised and subsequently clarified:-

- Opportunities to abort, change or review the project at certain gateways.
- Project reviews at Member level for projects such as Boston Castle, Clifton Park and the Town Hall.
- Learning from experience and the Red, Amber and Green frequency checks.
- Information sharing with all Members and the arrangement of a seminar.

Agreed:- (1) That Brian Barrett be thanked for his informative presentation.

(2) That arrangements be made for an all Member seminar on this issue.

# 18. LGID - THE COUNCILLOR'S ROLE IN PROMOTING PERSONALISATION AND SAFEGUARDING EVENTS

Consideration was given to information circulated with the agenda regarding Member seminars by Local Government Improvement and Development on "The Councillor's Role in Promoting Personalisation and Safeguarding to be held on the 13th December, 2010 in London or 1st March, 2011 in Manchester.

These two unique free all day events would explore both the Member's role in making adult social care more service user-focused and their safeguarding responsibilities in relation to adults in vulnerable circumstances.

The events would aim to:-

Provide an overview of the current context for adult social care,
 so that leaders in the field can stay at the forefront of

- developments in policy and delivery.
- Offer updates on safeguarding policy and practice, including clarifying the functions and responsibilities of councillors in relation to safeguarding adults in vulnerable circumstances.
- Outline the national programme on personalisation, which aims to transform adult social care.
- Explore the challenges for service improvement, efficiency savings and local partnership working.
- Include presentations by key national figures working on social care.
- Offer opportunities for discussion and networking.

#### The events are aimed at:-

- Lead members in adult social care, health and community services.
- Scrutiny members.
- Members in crime and disorder partnerships, and hate crime and domestic abuse/ violence partnerships or sub-committees.
- Members involved in community cohesion work.
- Councillors who are members or non-executives of NHS trusts or police authorities.
- Other cabinet members and frontline councillors.

Agreed:- That Member attendance be sought for the date in Manchester on the 1<sup>st</sup> March, 2011.

# 19. YORKSHIRE AND HUMBER HEALTH AND WELL-BEING LEADERSHIP ACADEMY

Consideration was given to information circulated with the agenda regarding a free development opportunity provided by Local Government Improvement and Development for senior Elected Members who had responsibility for the complex challenge of ensuring better outcomes for Health and Wellbeing.

The Leadership Academy was delivered by expert tutors, Local Government Improvement and Development consultants, supported by guest speakers and presenters. Participants would have an opportunity to discuss the challenges and responsibilities for health and wellbeing in their role. The programme would also explore the role of partner organisations and the vision and leadership they would be expected to give and also explore current policy developments and local issues as well as the threats and opportunities ahead.

The four day programme was scheduled to take place on

Wednesday, 3rd November, 2010 in Wakefield, followed by the 18th and 19th November, 2010 in York and finally on the 29th November, 2010 in Leeds.

Agreed:- That Member interest be sought for attendance on the dates provided.

#### 20. MEMBER TRAINING

Consideration was given to various aspects of training that the Head of Scrutiny and Member Support highlighted to Members which included:-

Safeguarding — It was suggested that this be planned and delivered in-house on a similar basis to that already arranged for Corporate Parenting.

Fraud Awareness Refresher – An offer had been made for refresher training delivered by the Benefit Fraud Investigation Unit.

Agreed:- That arrangements be made on the two training areas above and be made available for all Members to attend at one or more sessions.

#### 21. DATE AND TIME OF NEXT MEETING

Further to Minute No. 86 of the meeting of the Planning Board held on 14<sup>th</sup> October, 2010, a request was made for the Members' Training and Development Panel to amend its next meeting date to allow a Completed Developments Tour to take place on Thursday, 18<sup>th</sup> November, 2010.

Agreed:- That the next meeting be held on Wednesday, 17<sup>th</sup> November, 2010 at 2.00 p.m.

# Agenda Item 11

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By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

# Agenda Item 12

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By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

# Agenda Item 13

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By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

# Page 72

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.