

THE CABINET
Wednesday, 9th March, 2011

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

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

An apology for absence was received from Councillor Wyatt.

C185 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

C186 HEALTHY LIVES, HEALTHY PEOPLE: PUBLIC HEALTH WHITE PAPER CONSULTATION

Councillor Doyle, Cabinet Member for Adult Independence, Health and Wellbeing, introduced a report by the Chief Executive, which outlined the key proposals and consultation questions on which the Government were seeking views on in relation to the Public Health White Paper, which would determine the way public health was delivered in the future.

Dr. John Radford reported that the deadline for responses to the main White Paper and two supporting documents, which outlined proposals for commissioning, funding and the new outcomes framework, was 31st March, 2011.

Following consultation with Elected Members and Directorates a draft response had been put together which the Cabinet were being asked to consider and approve before the final response was submitted.

The proposals included:-

- Establishing a new body – Public Health England – within the Department of Health to protect and improve the public's health.
- Responsibility for public health transferring to local councils from 2013.
- Directors of Public Health would be jointly appointed by the local authority and Public Health England and work within the local authority.
- Establishing Health and Wellbeing Boards to decide upon local public health priorities.
- Using a 'ladder of interventions' to determine what action needed to be taken to address different public health needs. Some things would be tackled by central Government through Public Health England (such as serious threats and emergencies); others would need a combination of central Government and local action. In other situations enabling people to make healthier choices, including by providing information, promoting healthier behaviour and strengthening self-esteem and confidence would be key.
- Funding for public health work would be ring-fenced and areas with the poorest health would receive extra funding.

- Commissioning of public health activity would be the responsibility of Public Health England, through directly commissioning certain services (e.g. national purchasing of vaccines or national communications campaigns), asking the NHS Commissioning Board to commission public health services (e.g. national screening programmes) and the provision of the ring-fenced budgets for public health to local authorities. G.P. consortia may also be able to commission on behalf of Public Health England.
- G.P.s, community pharmacies and dentists would be expected to play a bigger role in preventing ill-health.
- A new outcomes framework would be produced against which progress on key public health issues would be measured. Local authorities would receive additional public health funding when progress on these outcomes was achieved.

The responses to the consultation questions were set out in detail as part of the appendix to the report.

Further clarity on the proposals was to be provided following the consultation process, which would end on 31st March, 2011.

Cabinet Members sought clarification on the collaboration and co-operation from G.P.'s and on the interim South Yorkshire clustering arrangements.

Resolved:- That the response to be submitted to Government be approved.

C187 ROTHERHAM PARTNERSHIP: FIT FOR THE FUTURE

The Leader introduced a report by the Chief Executive, which set out details of the review by Rotherham Partnership of its governance arrangements due to the environment in which it operated continuing to experience a period of change, which included face to face interviews with all Partnership Board Members. The key messages emerging were:-

- The Board was too large [current membership stood at twenty eight].
- The Board needed to be a decision making body [rather than simply endorsing decisions].
- The Partnership needed more streamlined structures to provide quicker routes to decisions.

It had been calculated that the implementation of these changes would lead to a reduction in the amount of partnership meetings held by almost 70%. It was anticipated that some new partnership based groups would be established, which would adopt some of the roles and responsibilities formally held by theme boards. The new model would produce a flatter, more agile and more task orientated infrastructure.

The reduction in the number and frequency of partnership meetings would deliver some 'cashable' savings; most notably through the removal of dedicated Theme Manager support to the Achieving Board and also through significant reductions in room hire and refreshment costs. It was estimated that cashable savings would be in the region of £50,000 per year.

In addition non-cashable savings have been identified, in particular relating to managerial and secretarial support to theme boards by Council staff. Only a very small proportion of the cashable savings were attributable to the Rotherham Partnership budget and it was likely that these would be absorbed if a regular stakeholder engagement event, as proposed by the Board, was introduced.

The risks and uncertainties associated with this review were set out in detail as part of the report.

Cabinet Members noted the consultations and workshops that had been taking place to help shape the new partnership and its priorities.

Resolved:- (1) That the contents of the report and the proposed new partnership structure be noted.

(2) That the efficiency savings that could be demonstrated be noted.

C188 SCRUTINY REVIEW OF PHYSICAL EDUCATION AND SPORT IN SCHOOLS

Councillor Whelbourn, Chairman of the Performance and Scrutiny Overview Committee, introduced a report by the Chief Executive, which set out details of the joint scrutiny review by the Regeneration Panel and Children and Young People Services Panel examining performance in schools against the LAA target NI57. The target was introduced by the previous Government to measure the number of pupils participating in two hours of sport per week. In the financial year 2009/10, this was updated to measure up to five hours of physical education and sport being offered to young people. The latter target was broken down into two elements:-

- Two hours curriculum time plus one hour in after school clubs on school site.
- Two further hours offered outside of school in a range of settings as defined by the Youth Sport Trust.

The review was originally commissioned by the Performance and Scrutiny Overview Committee and led by the Regeneration Scrutiny Panel with membership from Children and Young People's Scrutiny Panel. At this time, Members concerns hinged around two related factors - the possibility of the Council not achieving their NI57 target and the consequent negative impact on the Council's CPA/CAA score carrying financial implications; secondly, the impact on the health, fitness and obesity levels of children across the borough.

On completion, the review was submitted to the Regeneration Panel and then to the Performance and Scrutiny Overview Committee on 30th April, 2010 to consider the recommendations. The review was fully supported by the Performance and Scrutiny Overview Committee, but was not submitted to Cabinet pending the election in May, 2010.

The subsequent change of Government now meant a fundamental shift in national policy around school sport. Initial Government announcements in respect of funding arrangements signalled the likely end of the School Sport Partnerships.

Shortly before Christmas, however, a reduced level of funding was reinstated, with a statement pledging support to maintain 450 School Sport Partnership posts across the country. However, despite a revision of funding levels the focus of School Sport Partnerships would fundamentally change under Coalition policy.

The scrutiny review group reconvened in November, 2010 to revise the recommendations in light of the above changes to funding and structure of the School Sport Partnerships.

The purpose of this report was, therefore, to update Members on the current (and ongoing) situation faced by the School Sport Partnerships and to present a revised set of recommendations to support the Physical Education and School Sport Scrutiny Review for consideration by Cabinet.

The production of the report was financed from the Scrutiny budget, although the recommendations of the review would have financial implications subject to the consideration of Cabinet.

However, Members would need to give consideration to the impact of the reduction in Government funding for the partnerships on the health, wellbeing and fitness of young people in Rotherham and the costs associated with this.

It was also noted that Government changes regarding funding would have implications for the number of staff resources employed within the School Sport Partnerships. The team currently consisted of two Partnership Development Managers and twelve School Sport Co-ordinating Officers based across the two Partnerships and providing co-ordination of physical education and sporting activities to the borough's secondary and primary schools.

Directly relating to the School Sport Partnerships agenda was the Healthy Schools Team who also co-ordinated physical activities through the TAKE 10 programme. This team would be reduced from five consultants and eight project workers to two consultants only (from March, 2011), having a further impact on the overall momentum of physical education, sport and physical activity in schools.

The Government supported the continuation of competition through their 'Olympic Schools' programme, however, this was likely to be determined locally and led by schools. The review group believed that schools would need continued support and advice to achieve Rotherham's Corporate Priorities. In removing the LAA Agreement Indicators and reducing School Sport Partnership funding, the continuation of physical education and sport was at risk owing to the opportunity for some schools to opt out of the current level of activity.

The publication of the Government's Education White Paper was still awaited, as was clarification locally regarding strategic decisions/funding and further announcements on the detail for the Government's new programme for sport in schools, both of which would affect resources available to carry out the recommendations in the Physical Education and Sport Scrutiny Review.

Cabinet Members welcomed this report and were informed that the main focus for this review was in relation to the two hours curriculum time for physical education and sport on school sites.

Resolved:- (1) That the Scrutiny Review "Physical Education and Sport in Schools" 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 changes to the funding regime for School Sport Partnerships be reported back to Scrutiny in due course.

(3) That the Cabinet Member for Safeguarding and Developing Learning Opportunities for Children forward the recommendations from this Scrutiny Review onto all Head Teachers and Governing Bodies.

(4) That the inclusion of physical education and sport as part of the Public Health Agenda be noted.

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

C189 CONSULTATION ON THE RESHAPING OF CHILDREN'S CENTRES

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 for changes to the delivery of Children's Centre Services in Rotherham, ensuring the Local Authority's statutory duty to provide sufficient Children's Centres to reach under fives and their families was met and to provide a more efficient and effective service.

The report set out in detail:-

- The reasons for recommendation and the principles that underpinned them.
- The three options for changes to the delivery of Children's Centre Services.
- Preferred option to consider.
- Consultation.
- Equality Impact Assessment.

The financial information and risks and uncertainties associated with each option were set out in specific detail as part of the report.

Further information was provided on each of the three options, where it was considered that Option Two was the preferred model for the delivery of Children's Centres from 1st September, 2011. This model continued to provide quality children's centre services whilst increasing the refocusing of resources to meet the needs of the most disadvantaged children and families. New contracts from 1st September, 2011 would run until 31st March, 2013, when the current early intervention grant came to an end.

In addition, under the Childcare Act, 2006, there was a statutory requirement to consult before opening, closing or significantly changing the services provided through Children's Centres. In addition to this, the Act made it clear that for the purpose of this requirement a change to either the manner in which, or location at which services were delivered was considered to be a change requiring consultation if it was a significant change.

It was anticipated that the consultation period would start on Thursday, 10th March, 2011 and continue until Thursday 5th May, 2011. A further report with the findings of the consultation exercise, the Equality Impact Assessment and any further recommendations would then be produced.

Cabinet Members welcomed this report to take forward the potential for more strategic and coherent working practices, improved information and data sharing and further support and saw Option Two as the preferred model to continue to provide quality children's centre services whilst increasing the refocusing of resources to meet the needs of the most disadvantaged children and families.

Resolved:- (1) That the report be received and the contents noted.

(2) That the decision to consult on Option Two as the preferred Children's Centre option, as identified within this report, be approved.

(3) That an eight week consultation period commencing Thursday, 10th March, 2011 and ending on Thursday, 5th May, 2011 be approved.

(4) That the Cabinet Member for Safeguarding and Developing Learning Opportunities for Children consider a further report, including a map, with the findings of the consultation exercise, the Equality Impact Assessment and any further recommendations.

C190 FREE SCHOOL PROPOSALS

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 current details of the two proposals for Free Schools within the Rotherham Borough, which were:-

- Three Valleys Academy - The Department for Education had recently received a proposal to set up a new school in Rotherham from the Nationwide Independent College of Higher Education (NICHE). The proposal was for an 850 place school for pupils aged 11-18 years in Wath upon Dearne.

The proposal had now been fully assessed by the Department for Education and the Secretary of State had given approval for it to proceed to the business case stage. The Authority had until the 11th March, 2011 to submit views to the Department for Education.

- Rotherham Central Free School - Mrs Blencowe, Principal Designate, was proposing to establish the 'Rotherham Central Free School'. The School would be located in Rotherham (most probably in central Rotherham) and would provide education for 500 secondary age pupils. The school would have an open admissions policy and have a catchment area of around three miles from the centre of Rotherham.

No information had yet been received from the Department of Education on the progress of this proposal.

Implications for Rotherham's secondary schools were set out as part of the report and it was noted that the falling birth rate and the numbers on roll indicated that there was sufficient capacity in all current secondary schools and no expansion of school places was, therefore, required in the Dearne Valley area. To provide a new Free School would impact severely on Swinton Comprehensive to such an extent that the viability of the school was compromised. There was likely to be an impact on Rawmarsh, which was less, but again compromised numbers at the school. There was no doubt that educational standards would fall due to the loss of pupils with teaching staff and other school staff having to be made redundant.

The proposal to open the Rotherham Central Free School should be opposed as it would have a dramatic impact on current Rotherham schools reflected in falling rolls, loss of school funding, teacher and other staff redundancies and falling educational standards.

The Council would receive reduced funding as any pupil who attended a Free School would withdraw the allocation of funding the Local Authority received to give to schools under the dedicated schools grant.

Cabinet Members expressed their concern that the Authority would have an increasing number of surplus places and the viability of a number of secondary schools would be jeopardised along with a detrimental impact on educational standards.

Resolved:- That the Council respond to the Department for Education objecting to the Free School proposals giving full reasons for the impact that 'The Three Valleys Academy' and 'Rotherham Central Free School' would have on the current secondary school provision and educational standards within the Rotherham Borough.

C191 BOSTON CASTLE

Councillor St. John, Cabinet Member for Culture, Lifestyle, Sport and Tourism, introduced a report by the Strategic Director of Environment and Development Services, which presented the proposal that had been submitted to the Heritage Lottery Fund for their financial support.

The scope of works for Boston Castle had been developed up to RIBA Stage D for the capital works and in line with the Heritage Lottery Fund criteria for the Activity Plan. Both of these elements have been approved by the Boston Castle Project Board for inclusion in the Heritage Lottery Fund submission and focused on:-

- Restoration of the existing Castle, to allow use for interpretation, functions and meetings.
- Retention of the western wall of the Victorian extension, but demolition of the remainder and various outbuildings.
- Erection of a two-storey extension, within the retained western wall of the Victorian extension, that allowed the provision of a platform lift, stairs, toilets, storage and plant rooms and allowed access to the various levels of the Castle.
- Extensive landscaping work to the Courtyard adjacent to the Castle to form an Event space. This had been the subject of a separate successful application to Biffaward for £50,000.
- Modifications to the entrance to allow a separate pedestrian access to the park.
- Provision of car parking in the existing area adjacent to the Bowls Pavilion.
- Security and external lighting to suit.
- A five year Activity Plan that focused on school groups, guided learners and open access learners.
- An Activity Plan that included the provision of two additional part time resources to manage the activities programme.
- An Activity Plan that required the input of a number of volunteers to assist in the delivery of the activities programme.

The project team had used the services of the consultants involved in the original scheme, following approval by the Heritage Lottery Fund, who had also given the go ahead to negotiate the new contract sum with the previous successful contractor. Both of these groups have been through a rigorous selection process that was based on achieving value for money. This use of the existing team had given the project the advantage of speed in arriving at a suitable design and certainty that the proposed costs and programme were based previously known information. It would also ensure a shorter lead in period prior to a start on site.

This proposal had capital costs of approx. £1.2 million (Rotherham's capital contribution of approximately £475,000 + £85,000 = £560,000) and a revenue cost of £41,000 per annum. This meant a saving of approximately £540,000 on capital costs as the provision within the Capital Programme of £1.2 million could be reduced. There would also be an annual saving on the capital borrowing costs of approx. £35,100.

There would still be a revenue pressure during the project (approx £21,000) and from the point at which the Heritage Lottery Fund funding came to an end in 2015/16 (approx £20,000), which would need to be included in the Council's Medium Term Financial Strategy.

Given the current financial position of the Council finding funding for the ongoing revenue costs would put further pressure on service budgets.

If the Heritage Lottery Fund bid was unsuccessful then options to secure and make safe Boston Castle would need to be pursued.

It was also important to note that delaying the start date was likely to have other implications as stated, which would be greater the longer the delay continued.

(1) Resolved:- That the proposal submitted to the Heritage Lottery Fund be approved.

(2) Recommended:- (a) That £560,261 (build costs £475,307 plus development costs £84,954) be included in the Capital Programme for 2011/2012 funded by Prudential Borrowing (borrowing costs funded centrally), this being the Council's contribution to enable the project to proceed.

(b) That an additional £21,000 be included annually in the Revenue Budget for the period 2012/13 to 2015/16 and then a further additional £20,000 be included annually in the Revenue Budget from 2016/17 onwards.

C192 RATIONALISATION OF PROPERTY ASSETS - DEVELOPMENT OF AN ASSET TRANSFER POLICY AND FRAMEWORK

Councillor Smith, Cabinet Member for Regeneration and Environment, introduced a report by the Strategic Director of Environment and Development Services, which proposed the creation of a working group to develop an Asset Transfer Policy Framework. The aim of the Policy Framework would be to set out how the Council dealt with both current and future asset transfer requests from the Third Sector, ensuring that all applications received were dealt with on a fair basis and reducing the risk of failure for the applicants.

The current options available were as follows:-

- Option 1 – Utilise existing disposal policy for dealing with asset transfer requests.
- Option 2 – Deal with asset transfer requests on a case by case basis.
- Option 3 – Develop a Comprehensive Asset Transfer Policy.

The rationalisation of property assets was essential to reduce budget pressures and to deliver front line services in the most cost effective way possible.

Financial impacts upon individual assets would be reported as part of the Policy Framework.

It was anticipated that the funding for the development of an Asset Transfer Policy Framework would be found from existing budgets in the Departments of Asset Management, Children and Young People Services and Neighbourhood and Adult Services.

Cabinet Members welcomed this report and were in favour of Option 3, but sought clarification on the appropriate clauses to be placed in leases under which the asset would revert back to the Council and whether the Policy Framework would be flexible to take account of the requirements to be set out in the Localism Bill.

Resolved:- (1) That the contents of the report and the options presented be noted.

(2) That Option 3 be approved and a Working Group be initiated to develop an Asset Transfer Policy Framework and that all current and future applications be deferred until completion and adoption of the policy.

(3) That progress reports be submitted to Capital Strategy and Asset Review Team at regular intervals

(4) That once the Asset Transfer Policy Framework was finalised it be considered by the Strategic Leadership Team before being submitted to Cabinet for approval and adoption.

C193 QUARTER 3 2010/11 FINANCIAL AND PERFORMANCE REPORT ON MAJOR EXTERNAL FUNDING PROGRAMMES AND PROJECTS

Councillor Sharman, Deputy Leader, introduced a report by the Strategic Director of Finance, which provided an overview of the performance and achievements of the Council's major external funding programmes and projects for the period October to December, 2010 and also against the targets set for the financial year 2010-2011.

The priorities for each regime, together with the context of each project/programme's contribution to addressing those priorities, have previously been provided as an appendix to the report in December, 2007.

The report set out in more detail information relating to:-

- Progress and performance to date – key headlines.
- Building New Council Housing (BNCH).
- Department for Education (DfE) Play Pathfinder.
- EU Funding – European Social Fund (ESF) and European Regional Development Fund (ERDF).
- Future Jobs Fund (FJF).
- Growth Point Programme (GP).
- Housing Market Renewal Pathfinder (HMRP).
- Neighbourhood Renewal Fund – Transitional Funding (NRF-TF).
- Private Finance Initiatives (PFI) – Waste Management.
- Regional Housing Programme (RHP).
- Yorkshire Forward Single Pot (SRIP).

A substantial amount of external funds were used by the Council in order to assist in delivery against the Council's priority areas. In addition, the Council was the accountable body for a number of external funds and was, therefore, responsible for the proper use, monitoring and audit of these resources.

As with most public funds, external funds were often subject to the “use it or lose it” regime and it was, therefore, imperative that the Council maximised these additional resources and ensured the money was used wisely to meet priorities and was not left unused at the end of the particular period or programme.

The main risk associated with this report was that external funds allocated to the Council and its partners were not fully used and, therefore, ultimately lost to the Borough. It was the purpose of this report to assist in alleviating this issue, through monitoring the major externally funded schemes and bringing to attention potential areas of underspend and under performance.

Cabinet Members sought clarification on the actions being taken to address the lower than anticipated starts on activity relating to ESF 16-19 NEETS and whether the performance target could be achieved by the end of the year.

Resolved:- (1) That the contents of the report be noted.

(2) That the progress and actions underway to address areas where the expected outcomes for the major external funding programmes and projects were not in line with the targets set be noted.

C194 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act (information relating to finance or business affairs).

C195 ROTHERHAM NETWORK PROCUREMENT

The Leader introduced a report by the Strategic Commissioning Manager which set out the background to the procurement of a new Metropolitan Area Network (MAN) for the Council, the results of the procurement exercise, a comparison of the two final bidders and the recommendation of the Strategic Leadership Team.

The financial information and risks and uncertainties associated with the procurement of this network were set out in detail as part of the report.

Resolved:- (1) That the reasons for procuring a new MAN for Rotherham Council and the benefits that this would deliver be noted.

(2) That the procurement process and results of the exercise be noted.

(3) That approval be given to award the contract to Digital Region Limited.

(Andrew Bedford, Strategic Director of Finance, declared a personal and prejudicial interest in this item on the grounds of being a Director of the Digital Region and left the room whilst this was discussed.)