

## **CABINET**

**Venue: Wath Library,  
Montgomery Square,  
Wath upon Dearne,  
Rotherham. S63 7RZ**

**Date: Wednesday, 23 March 2011**

**Time: 10.30 a.m.**

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

1. To consider 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 9th March, 2011 (copy supplied separately)
5. Minutes of a meeting of the Members' Training and Development Panel held on Thursday, 17th February, 2011 (herewith) (Pages 1 - 4)
  - Chief Executive to report.
6. Government Consultations (report herewith) (Pages 5 - 8)
  - Chief Executive to report.
7. Rotherham Rugby Club Limited (report herewith) (Pages 9 - 14)
  - Strategic Director of Environment and Development Services to report.
8. Exclusion of the Press and Public.  
The following item is likely to be considered in the absence of the press and public as being exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relates to finance and business affairs):-
9. Barnsley, Doncaster and Rotherham (BDR) Waste Partnership - PFI Procurement of Waste Treatment Facilities (report herewith) (Pages 15 - 35)
  - Strategic Director of Environment and Development Services to report.

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>CABINET</b>
<b>2.</b>	<b>Date:</b>	<b>23<sup>RD</sup> MARCH, 2011</b>
<b>3.</b>	<b>Title:</b>	<b>MEMBERS' TRAINING AND DEVELOPMENT PANEL MINUTES</b>
<b>4.</b>	<b>Directorate:</b>	<b>CHIEF EXECUTIVE'S</b>

**5. Summary**

To consider Members' training matters.

**6. Recommendations**

To receive the minutes of the meeting of the Members' Training and Development Panel held on 17<sup>th</sup> February, 2011.

**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 17<sup>th</sup> February, 2011, are attached.

**Contact Name** : Cath Saltis, Head of Scrutiny and Member Services, Chief Executive's Directorate – Tel. 01709 822779 [cath.saltis@rotherham.gov.uk](mailto:cath.saltis@rotherham.gov.uk)

**MEMBERS' TRAINING AND DEVELOPMENT PANEL  
THURSDAY, 17TH FEBRUARY, 2011**

Present:- Councillor Sharman (in the Chair); Councillors Gosling, Lakin, Pickering, Steele, Wootton and Mrs. C. Cockayne.

Apologies for absence were received from Councillors Austen, Dodson, Littleboy, Sangster, Smith, St. John and Whelbourn.

**38. MINUTES OF THE PREVIOUS MEETING HELD ON 20TH JANUARY, 2011**

The minutes of the previous meeting held on 20<sup>th</sup> January, 2011 were agreed as a correct record.

**39. UPDATE ON MOD.GOV AGENDA MANAGEMENT SYSTEM**

Further to Minute No. 17 of the meeting of the Members' Training and Development Panel held on 18th December, 2008, Richard Copley, ICT Strategy and Client Co-ordinator, gave an update on Modern.Gov agenda management system since its upgrade and the functionality available through the system, particularly in terms of the information that could be offered to the Citizen via the website.

A demonstration on how the information displayed on Councillors' pages was provided, including insight into the added facility of e-petitions. It was also noted that the biographies of Councillors should be updated on a regular basis via Democratic Services.

A discussion ensued on the scheme for handling petitions and what the current process was.

Cath Saltis, Head of Scrutiny and Member Support, reported on the recent review of the Council's website, which was undertaken by the Democratic Renewal Scrutiny Panel. It was noted that difficulties were encountered by some Members in their connection to the network with only some having wifi functionality. This was to be addressed for all Members.

Richard Copley, ICT Strategy and Client Co-ordinator, also referred to a recent email from Councillor Austen regarding the use of social media. It was noted that social media was available to all Members with only a few choosing to use the facility. The Panel were shown social media in operation on the Rotherham website.

Reference was made to the personal use of Council owned equipment and whether the social media use to post comments was acceptable.

Agreed:- [1] That the information be noted.

[2] That Councillors be made aware of the social media facility and this be included as part of Members' induction.

**40. MEMBER DEVELOPMENT ASSESSMENT CHARTER**

Cath Saltis, Head of Scrutiny and Member Support, gave an update on the current position with regards to the Member Development Assessment Charter and confirmed its success.

Members were thanked for their input into the assessment and the Assessment Panel recorded their positive impression of the activities taking place in Rotherham. The final report with any recommendations would be received in due course.

Agreed:- That this Panel's thanks and appreciate into the input for the assessment be forwarded to those involved.

#### **41. LOCALISM BILL - PROPOSED TRAINING**

Further to Minute No. 25 of the meeting of the Cabinet Member for Community Development, Equalities and Young People's Issues held on 17th January, 2011, consideration was given to the proposed workshops around the "One Council" Co-ordinated Approach to Rotherham's Response to the Localism Bill led by Steve Eling and supported by other officers.

The dates for the workshops were:-

- 8th March, 2011 - 5.00 p.m. to 7.00 p.m. – John Smith Room
- 14th March, 2011 – 2.00 p.m. to 4.00 p.m. – John Smith Room
- 18th March, 2011 – 10.00 a.m. to 12.00 Noon – John Smith Room

Agreed:- That the dates above be circulated to all Members and Parish Councils for information.

#### **42. DATE AND TIME OF NEXT MEETING**

Agreed:- That the next meeting of the Members' Training and Development Panel take place on Thursday, 24th March, 2011 at 2.00 p.m.

<b>ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	Cabinet
<b>2.</b>	<b>Date:</b>	23 <sup>rd</sup> March 2011
<b>3.</b>	<b>Title:</b>	Government Consultations
<b>4.</b>	<b>Directorate:</b>	Chief Executive's

### 5. Summary

This report was requested by PSOC in December 2010 and is intended to provide a clear way forward for dealing with forthcoming Government consultations, in light of discussions at PSOC on 3<sup>rd</sup> December 2010 and 25<sup>th</sup> February 2011. On 25<sup>th</sup> February PSOC agreed these recommendations and asked for the report to be referred to Cabinet.

### 6. Recommendations

#### That Cabinet Members

- **Consider and discuss the proposed approach for dealing with consultation responses.**
- **Agree to receive a quarterly report on forthcoming consultations in which lead Cabinet Members and Scrutiny Committees will be agreed.**
- **Note the need to maintain flexibility with such a system, allowing for consultations not covered by the plan to be dealt with accordingly.**
- **Consider the first of such reports and the approach to responding to those currently outstanding (Table A)**
- **Agree that the Corporate Policy team act as the first point of contact for arranging responses to government consultations**

## 7. Proposals and details

PSOC received the initial report on this matter on 3<sup>rd</sup> December 2010. The Committee considered a corporate approach to handling Government consultations and importantly for the effective engagement of elected members in determining RMBC responses.

The report is also timely as the Government continues to issue a significant number of consultations which require a response from the Council. Some of these are very service specific for example consultation relating to planning application fees however others have wider more strategic implications and will require a different level of engagement to develop an informed response and our process should reflect this. In addition Members should note that whereas the previous Government had agreed standards for consultation, which included a minimum consultation period of 12 weeks, these standards are no longer applied and in recent consultations timelines applied by Government and other agencies have varied widely.

There were some key principles outlined in the approach being suggested. These were:

- Strategic and Council-wide consultations to be considered by PSOC and Cabinet
- Service specific consultations to be considered by the appropriate Scrutiny panels and Cabinet Members
- Timeframes allowing, the route would be via scheduled meetings
- Where Government deadlines dictate a faster approach a flexible approach will be required, which would include the following options
  - PSOC to be used for service specific consultations as it meets more regularly
  - Special meetings called to appraise responses
  - Clearing responses via Chairs of panels and Cabinet members

The most effective way to maintain an overview of the programmes of consultations is to forward plan as much as possible. It is proposed to bring a quarterly report to PSOC and Cabinet which would enable them to plan ahead, agreeing an approach in advance and determining which consultations would be prioritised in terms of impact on the Council's priorities. The first one of these programmes is contained below in table A. There are two things to note when considering this. Firstly a level of flexibility will need to be maintained as some consultations will come at very short notice, restricting our ability to plan ahead. Secondly, the co-ordination of officer support to this will be carried out via the Policy Team, ensuring that the lead officers are aware of the consultation and associated timetable, and where necessary to take a report to SLT.

TABLE A

Consultation	Deadline	Scrutiny Panel	Cabinet Member	Comment
Healthy Lives, Healthy People	31 <sup>st</sup> March	Adult Services and Health 10/2/11	Cabinet	Already underway. High priority
Specialist disability employment support	28 <sup>th</sup> Feb	Adult Services and Health	Adult Independence Health and Wellbeing	Consultation almost passed
National Curriculum Review	14 <sup>th</sup> April	Children and Young People Services	Safeguarding and developing learning opportunities for children	Timeframe allows for full process and is of high priority
Strengthening families, promoting parental responsibility Green Paper	7 <sup>th</sup> April	PSOC	Cabinet	This is a key issue for the Council and timeframe allows for full process
Giving Green Paper	9 <sup>th</sup> March	Democratic Renewal	Community Development, Equality and Young People's issues	Very short timeframe left and falls outside of next scheduled panel and Cabinet Member meeting. Priority needs to be considered.
Road Network policy	1 <sup>st</sup> May	Regeneration	Regeneration and Environment	Timeframe allows full process
A New Approach to Refreshing the National Enforcement Priorities for Local Authority Regulatory Services Consultation,	6 <sup>th</sup> May	PSOC	Cabinet	Timeframe allows full process
Proposals to introduce a Community Right to Challenge consultation,	3 <sup>rd</sup> May	Democratic Renewal	Community Development, Equality and Young People's issues	Timeframe allows full process
Proposals to introduce a Community Right to Buy – Assets of Community Value consultation,	3 <sup>rd</sup> May	PSOC	Cabinet	Timeframe allows full process
More effective responses to anti-social behaviour consultation	3 <sup>rd</sup> May	Democratic Renewal	Safe and Attractive Neighbourhoods	Timeframe allows full process



## **8. Finance**

There are no direct financial implications arising from the report. Management of the consultation process would be from within existing resources.

## **9. Risks and Uncertainties**

It is clear from government announcements to date about the forthcoming programme of reform, and the associated consultations, that there will be significant policy implications for the Council. There will also be policy implications for the Council working in partnership, both with other organisations and the expectations of working with communities.

The Council continues to monitor the Government's policy development, and is well placed to understand the implications of the broader policy agenda; the legislative programme; and effects on local priorities. In order to be able to influence the direction and detailed proposals it will be important to ensure that processes for responding to consultation are robust, effective and timely.

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

As set out above the policy implications for the Government's legislative programme are significant and will impact across all Corporate Plan priorities and all Directorates. 10 out of the 23 government Bills would have an impact for Local Government.

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

Reports to PSOC 3<sup>rd</sup> December 2010 and 25<sup>th</sup> February 2011

The detail of all background papers and source documents are listed against the workstreams in the Council's Reform implementation plan.

## **12 Contact**

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2.</b>	<b>Date:</b>	<b>23<sup>rd</sup> March, 2011</b>
<b>3.</b>	<b>Title:</b>	<b>Rotherham Rugby Club Ltd.</b>
<b>4.</b>	<b>Directorate:</b>	<b>Environment and Development Services</b>

### **5. Summary**

To consider a proposal to seek an agreement with Rotherham Rugby Club Ltd. to lease a section of Herringthorpe Playing Fields to be used for training, competitive matches and community development purposes.

### **6. Recommendations**

- (1) This report seeks Cabinet approval for Officers to enter into discussions with Rotherham Rugby Club Ltd, with a view to establishing a lease agreement for a section of Herringthorpe Playing Fields that can be used for training, competitive matches and community development purposes.**

## 7. Proposals and Details

This report outlines a proposal to seek an agreement with Rotherham Rugby Club Ltd. (the Club) to lease a section of Herringthorpe Playing Fields to be used for training, competitive matches and community development purposes.

The Club is a company limited by guarantee whose aim is to encourage and promote amateur rugby in Rotherham. It is a self-financing amateur organisation which comprises a Board made up of representatives from three sections, Rotherham Phoenix, Mini/Juniors and the Vice Presidents.

**Rotherham Phoenix** is an amateur rugby playing section for men over 18 years of age. Established in 2004 Phoenix was formed to offer the opportunity for any person, of any ability within Rotherham to play or become involved in rugby. Currently there are almost 100 playing members and officials. Three Phoenix teams regularly play on Saturdays with the Phoenix first team competing in Yorkshire Division 3.

The **Mini/Junior** section has almost 300 boys and girls taking part in 10 different age groups from 7 to 17 years old. All sections depend on enthusiastic volunteers, whose roles range from occasional help to regular team managers and coaches. All of the coaches undergo a police CRB check and training is provided in supporting activities such as child protection, equal opportunities and first aid to ensure that the opportunities provided are the best that can be achieved. The ethos of the club is to provide a safe and secure environment for all age groups that will allow development of individuals in a disciplined, respectful and enjoyable framework.

The **Vice Presidents** section has 80 members from a wide cross section of people who are generally the older members of the club and many are either ex players or ex officials of the original club which formed in 1923. Annual fees are paid by each VP member and these funds are used to help maintain facilities and equipment and provide kit to the amateur teams.

The greatest difficulty that the Club has to address is the lack of facilities to sustain its activities. Due to the lack of available pitches the Phoenix and Mini/Juniors sections have to hire pitches for training and playing at different facilities throughout the Borough. Facilities at Dinnington, Wath, Rawmarsh, Wickersley School and Dearne Valley College have been used to accommodate the growing demands of the Club.

The Club's requirements are for a secure site that can accommodate 3 full size rugby pitches and they believe that taking responsibility for a section of Herringthorpe Playing Fields will allow them to achieve this. The Club propose to fence off an agreed area of the field (**see Appendix 1**), improve the playing surface and drainage, provide new changing rooms and install floodlighting. The club would work to agreed time restrictions and use the latest design in floodlighting in order to reduce impact on local residents. The Club will also develop a management plan aimed at reducing the impact of any increased car parking and focusing users on the parking facilities at Clifton Lane Sports Ground and Herringthorpe Athletics Stadium. They will need to seek planning permission for some of the proposed improvements and will be responsible for providing all of the funding necessary to deliver the improvements.

The Club will promote additional community access by making the facility available to other amateur clubs, and by working with the Council's Sports Development Team to organise and promote wider sport and physical activity opportunities. They will also make the facilities available to local schools for a variety of activities including competitive matches and finals. These activities will be a condition of the lease.

At some point in the future the Club may also wish to facilitate training sessions for Rotherham Titans. It is therefore suggested that the terms of the proposed agreement should not obstruct this use but make it a condition of the lease that it cannot be done without the Club obtaining advanced written permission from the Council and that such usage should not adversely affect planned usage by the Club and other community groups, including the Council's Sports Development Team.

The proposed location is currently marked out for two football pitches and one rugby pitch. These pitches are utilised on a regular basis by a number of community teams and in order to avoid their displacement, all three pitches will need to be relocated to a different part of the site. The proposal will mean that the total number of football pitches available at the site will be reduced by one junior pitch. However at no point in the last 24 months has more than 1 junior pitch been required. Therefore the amended provision will ensure that existing regular users will not be inconvenienced by the proposed lease.

<b>Pitch Type</b>	<b>Current Number</b>	<b>Proposed Number</b>
Football (Senior)	8	8
Football (Junior)	2	1
Rugby	2	2
Cricket	4	4

It may be necessary to justify the loss of an area of open space and this may require expert legal advice, the cost of which would be met by the Club.

The Club have agreed to cover all of the Council's costs, as well as the costs for the proposed improvements. They are seeking a minimum 15 year lease agreement to reflect the intended level of investment and provide the necessary security to attract external funding. Initial discussions between the Club and the Rugby Football Union suggest that the RFU see the proposals as something they would be likely to support.

It is recommended that provision is made within the Lease, so that if the club were to cease to exist the facilities would revert to the Council and therefore be of benefit to the community as a whole.

The Club have held preliminary discussions with Officers in the Council's Planning Department, which have not identified any major issues relating to the proposal. It will of course be necessary, as with all lease agreements of this nature, to carry out relevant consultation and certain elements of the proposals may require planning permission but this will not be known until the consultation is complete and the final plans are in place.

## 8. Finance

The Council is obliged to lease land for the best price reasonably obtainable. There are certain exceptions to this proviso which permit a council to enter into a lease, generally for the public good, at less than best consideration for a community or similar group. Whether or not this applies to the Club will need to be fully investigated. In the current downward economic climate a report on the Asset Transfer policy is being brought forward to establish whether the 'exceptions' need to be widened.

In addition to the Club's agreement to cover all of the Council's costs relating to establishing the lease, they have also agreed to cover the cost of relocating pitches to ensure there is no loss of provision to the community clubs already using the site.

The club have agreed to pay the Council's legal and valuation fees in advance so that if as part of the negotiations a final agreement cannot be reached the Council's costs will still be covered.

The Club will be responsible for funding all of the proposed developments.

## 9. Risks and Uncertainties

Should the Club cease to exist during the development of the site or after the work is completed the Leisure and Green Spaces Service will be liable for the incomplete or complete asset and any repairs/works/demolition/re-instatement costs.

The land to be leased is held as Public Open Space, the Local Government Act 1972 requires the Council to advertise the disposal of Public Open Space in a local newspaper for two consecutive weeks and to consider any objections received. The Club will need to pay in advance for the cost of advertising. If there are any objections to the advertised lease, these will have to be considered and reported before a Cabinet decision is made.

It is possible that members of the local community may raise concerns relating to loss of open access to the leased area and the pursuit of an agreement with the Club in advance of the emerging plans for the wider site.

## 10. Policy and Performance Agenda Implications

**Corporate Priorities:** These proposals meet the Council's priorities of *Rotherham Achieving, Rotherham Alive and Rotherham Proud*

**Achieving** – The provision of improved training / playing facilities would contribute towards the success of the Club and offer wider advantages to the community in terms of new sport and physical activity opportunities.

**Alive** – The proposal to lease the site for use as training / playing facility will contribute to increases in active participation and towards improving health and social wellbeing while at the same time improving quality of life.

**Proud** – Through the development and improvement of outdoor playing pitch facilities for the Club and wider community benefit.

**11. Background Papers and Consultation**

None

**Contact Names:**

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