

CABINET

Venue: Town Hall,
Moorgate Street,
Rotherham. S60 2TH

Date: Wednesday, 8th June 2011

Time: 10.30 a.m.

A G E N D A

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 27th April, 2011 (copy supplied separately)
5. Groundworks Trusts Panel (Pages 1 - 9)
 - Chief Executive to report.
6. Local Development Framework Members' Steering Group (Pages 10 - 15)
 - Strategic Director of Environment and Development Services to report.
7. Local Development Framework Public Consultation (Pages 16 - 22)
 - Strategic Director of Environment and Development Services to report.

Please note: a copy of the consultation arrangements and the supplementary papers are available in Reception in the Eric Manns Building.
8. New Homes Bonus (Pages 23 - 32)
 - Strategic Director of Neighbourhoods and Adult Services to report.
9. Charging for Housing Act 2004 Enforcement (Pages 33 - 38)
 - Strategic Director of Neighbourhoods and Adult Services to report.
10. Moorgate Cemetery Lodge, Workshops and Garages (Pages 39 - 54)
 - Strategic Director of Environment and Development Services to report.
11. Asset Transfer Proposal for Rotherham Adventure Playground (Pages 55 - 57)
 - Strategic Director of Environment and Development Services to report.

Extra Items:-

12. Leases of Millmoor Stadium (report herewith) (Pages 58 - 59)
 - Strategic Director of Environment and Development Services to report.
13. Long Term Loan Finance in support of Rotherham United Football Club new Community Stadium (report herewith) (Pages 60 - 63)
 - Strategic Director of Finance to report.
14. Cabinet Member Portfolios.
 - Chief Executive to report.
15. 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 indicated below of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relates to finance or business affairs).
16. The Future of the School Effectiveness Service (Pages 64 - 68)
 - Strategic Director of Children and Young People's Service to report.
(Exempt under Paragraph 1 of the Act – information relating to an individual)
17. Capital Programme - Capital Receipts Update (Pages 69 - 74)
 - Strategic Director of Environment and Development Services to report.
(Exempt under Paragraph 3 of the Act – information relates to finance and business affairs)
18. Former Garage Site, off Kimberworth Park Road, Kimberworth Park (Pages 75 - 79)
 - Strategic Director of Environment and Development Services to report.
(Exempt under Paragraph 3 of the Act – information relates to finance and business affairs)
19. Section 49 Discretionary Hardship Rate Relief (Pages 80 - 83)
 - Team Leader (RBT) to report.
(Exempt under Paragraph 3 of the Act – information relates to finance and business affairs)
20. The Re-integration of Housing Management Services (Pages 84 - 107)
 - Strategic Director of Neighbourhoods and Adult Services to report.
(Exempt under Paragraph 1 of the Act – information relating to an individual)
21. Financial Services Review (Pages 108 - 116)
Strategic Director of Finance to report.
(Exempt under Paragraph 1 of the Act – information relating to an individual)

22. Shared Services and Strategic Partnering June 2011 (Pages 117 - 121)
Strategic Director of Finance to report.
(Exempt under Paragraphs 1 and 3 of the Act – information relating to an individual/business affairs of any particular individual including the Council)

23. Transforming the Cash Collection Function (Pages 122 - 136)
Strategic Director of Finance to report.
(Exempt under Paragraph 3 – business affairs of any particular individual, including the Council)

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	CABINET
2.	Date:	8TH JUNE, 2011
3.	Title:	GROUNDWORK TRUSTS PANEL – MINUTES OF MEETING HELD ON 13TH APRIL, 2011
4.	Programme Area:	CORPORATE

5. Summary

Minutes of the quarterly meetings with the Groundwork Trusts Panel are submitted to Cabinet for consideration.

6. Recommendation:-

That the minutes of the meeting of the Groundwork Trusts Panel held on 13th April, 2011, be received, and the continued excellent partnership work of both Groundwork Trusts be noted.

7. Proposals and Details

The Panel was established in March 2000 to provide a forum to discuss the on-going partnership between the Council and the two Groundwork Trusts in pursuit of the economic, social and environmental regeneration of the Borough.

The two Groundwork Trusts – Groundwork Dearne Valley and Groundwork Creswell - are able to use the quarterly meetings to raise and discuss issues with Councillors and officers.

The Groundwork Trusts make an important contribution to the regeneration of the Borough and to individual local communities. The Groundwork Trusts Panel provides an important opportunity to exchange ideas and experiences, and co-ordinate actions to maximise impact and efficiency.

8. Finance

A small fund was established to enable community groups to access third party funding in support of WREN bids. The partnership working arrangements with the two Trusts enables the delivery of a wide range of projects and initiatives.

9. Risks and Uncertainties

Without the partnership working with the two Trusts many community based and environmental projects would not be able to be delivered.

Risk that funding for projects may be withdrawn and future funding sources may not be found.

Constraints on budgets of both Groundworks Trusts and the Council.

10. Policy and Performance Agenda Implications

Sustainability is the heart of the work and operations of the two Groundwork Trusts. The Council and Groundwork Dearne Valley jointly fund a Local Action 21 officer for example.

The joint working of the Council and the Groundwork Trusts provides effective environmental protection, addresses social needs and creates employment opportunities for local people.

11. Background Papers and Consultation

A copy of the minutes of the meeting of the Groundwork Trusts Panel held on 13th April, 2011, is attached.

Contacts:- Karl Battersby, Strategic Director, Environment and Development Services, ext 23801

**GROUNDWORKS TRUSTS PANEL
WEDNESDAY, 13TH APRIL, 2011**

Present:- Councillor Sharman (in the Chair); Councillors Falvey, St. John and Swift.

together with:-

Jamie Ferneyhough	Groundwork Dearne Valley
Alan Hartley	Groundwork Dearne Valley
Janet Johnson`	Groundwork Dearne Valley
Rob Saw	Groundwork Dearne Valley
Caralynn Gale	Groundwork Creswell Ashfield and Mansfield
Jamie Glazebrook	Groundwork Creswell Ashfield and Mansfield
Nick Barnes	Greenspaces, RMBC
Tracie Seals	Sustainable Communities Manager, RMBC

32. INTRODUCTIONS/APOLOGIES FOR ABSENCE

Councillor Sharman welcomed everyone to the meeting.

Apologies for absence were received from:-

Councillor R. S. Russell	RMBC
Councillor G. Smith	RMBC
Councillor K. Wyatt	RMBC

33. MINUTES OF THE PREVIOUS MEETING OF THE PANEL HELD ON 19TH JANUARY, 2011

The minutes of the previous meeting held on 19th January, 2011 were agreed as a correct record.

34. MATTERS ARISING FROM THE PREVIOUS MINUTES

Reference was made to the following:-

- (i) Future of the Future Jobs Fund

It was reported that all places were filled and that the scheme had closed nationally to new starters and at the moment Groundwork Dearne Valley had the funding until early September.

- (ii) Retirement of Councillor Iain St. John, Cabinet Member for Culture, Lifestyle, Sport and Tourism

Reference was made to the retirement from the Council of Councillor St. John.

Councillor St. John acknowledged the splendid work of both Groundworks and their volunteers and also their work at national level.

The Chairman thanked Councillor St. John for his attendance at meetings over the years, and the Chairman of Groundwork Dearne Valley wished Councillor St. John a long and happy retirement and thanked him for the work he had done with the Trust.

35. QUARTERLY REPORT - GROUNDWORK CRESWELL ASHFIELD AND MANSFIELD AND CRESTA LIMITED

Caralynn Gale, Education Manager, Groundwork Creswell, Ashfield & Mansfield and Cresta Limited, introduced the quarterly report for the period 1st January to 31st March, 2011.

Jamie Glazebrook highlighted the following achievements for the quarter:-

Projects worked on:-

Ravenfield Ponds:- clearing trees, flood detritus and repairing the dry stone wall

Harthill:- clearing Doctor Lane and Glebe Farm allotments

Brinsworth Church:- repairs to wall prior to installing security fencing

Trans Pennine Track:- landscape maintenance

Treeton Youth and Community Centre:- heavy clearance work at front of building; installation of wooden panels and metal railings

Ulley:- prepared dry stone walls on Morthen arm; awaiting delivery of stone to finish the rebuild

Community Task Force:- there were a number of participants who were coming to the end of the programme with no job outcome but were keen to stay on the programme rather than going back to the JobCentre. It was reported that InTraining had advised that the programme could be extended to 1st June and for 13 weeks after.

One World Schools – Youth Re-engagement programme:-
Anston Stones Wood – work continued on general clearance.

Ex-Offenders “V” Programme – New Horizons - volunteer programme targeted at young ex-offenders aged between 16-25. It was reported that the Trust was targeted to work with 60 ex-offenders over 2 years and actually worked with 81 in total. 73 volunteers achieved accreditation, and the retention rate for attendance was over 82%.

Pit wheel in Thrybergh:- awaiting feedback from client

Safety scheme for young children in Rotherham: Cresta was looking for a contribution from Rotherham towards the cost of installation of equipment. Cresta was keen to meet with officers in Rotherham to access viability.

Treeton – new building works

Swimming complex in Dinnington – the Construction arm was in discussion and quotations had been submitted. Groundwork was keen to link with 2010 Rotherham Ltd and their preferred contractor.

Community Learning:- it was reported that Robert Bird had been appointed as the new Community Projects Officer and he had been establishing links with parish councils and engaging with communities.

Newsletter:- reference was made to Councillor Sharman's visit to some of Groundwork's active 'Community Task Force' sites where he met some of the participants.

Funding:- it was reported that Groundwork had appointed a Development Manager to work on funding bids.

It was agreed:- That officers from Groundwork Creswell, Ashfield and Mansfield and Cresta Limited be thanked for their informative report and continued involvement in projects.

36. QUARTERLY REPORT - GROUNDWORK DEARNE VALLEY

Janet Johnson, Executive Director, Groundwork Dearne Valley, introduced the quarterly report covering the period 1st January to 31st March, 2011.

The following items were highlighted:-

Jamie Ferneyhough reported on:-

Rawmarsh and Parkgate:-

- planters on St. Nicholas Walk had been rejuvenated with assistance from young volunteers from the local community.
- Fitting Future for the Fitz:- funding had been obtained from the Community Wildlife Big Lottery Fund.

Maltby:-

- Maltby Craggs – footpath project funded through the COMMA Aggregate Levy Fund, with labour provided through the Future Jobs Fund.
- China Town – phase of work completed. Project focused on small scale works with partners to get residents involved and develop the community.

- Maltby Crags Infant School Wildlife Garden – 2 workshops had been held and visit to Maltby Crags had taken place for a Geocaching activity. Groundwork was looking to secure funding for further activity.

Chesterhill:- work in this area was now winding down. Evaluation of the Magna Lane Green Corridor project was taking place (worked on by NEETS and Future Jobs Fund team). Liaison continued with Dalton Parish Council.

Play Pathfinder:- activity had now ceased.

Turning the Corner Programme:-

- Reference was made to a number of youth engagement projects, many involving working with a professional artist for art/graffiti on shop fronts.
- Rawmarsh Skate Park facility now finished.
- Success of the Gun and Knife Crime residential involving young people identified as at risk of becoming involved in these areas. Groundwork was looking for funding to roll this out and deliver further projects.

Miscellaneous Regeneration Projects:-

- Brampton Bierlow BMX Track Sports Development:- activities continued and events on site had been scheduled. Groundwork was in the process of site improvements for a peripheral track. Only positive comments about the track had been received.
- Thorpe Hesley BMX Facility – working with “Friends of” to explore feasibility of a facility off Barnsley Road.

Dearne Valley Eco-Vision:-

Continued working in partnership with the Sheffield City Region team. Reference was made to the concept and vision for the Dearne Valley and its industrial background. Reference was made to structures below the Special Board and to representation on the Eco-Vision Group. Specific activity had included:-

- Green Doctors delivering small scale measures to increase energy efficiency.
- Completion of Community Champion training

Cadbury Spots v Stripes (linked to sponsorship of the 2012 Olympics):-

- Continued working in partnership with Greenspaces Team and the Sports and Active Recreation Team
- events with Rockingham TARA

Rob Saw reported on:-

Alternative Curriculum Programme:-

- Continued work with Milton and Swinton High Schools.

- Delivering to a further 5 schools with funding from 14-19 ESF funding stream.

NEETS (Rotherham)

- Cohort 3 commenced – due to end November – 15 on programme.
- Awaiting decision re: ESF submission for NEETS contract 2011-2013.

Future Jobs Fund:-

- Completed recruitment for final phase (due to end August)
- 236 participants recruited over the programme
- success rate of 30% into work immediately on leaving
- worked on 4 sites within the Borough (Maltby, Rawmarsh, Ulley, Thrybergh) and on Public Rights of Way

Bikes4All:-

- Dr. Bike session held at Wath Park funded by Greenspaces was very well attended with requests for regular sessions around other BMX venues
- unsuccessful bid for the Rotherham Bikeability contract
- submission of a bid by the Council to the Local Sustainability Transport Fund for the development of a “Community Cycle Library” and it was anticipated that Groundwork would assist with the delivery of training to NEETS.

Groundwork Environmental Services (Dearne Valley) Ltd

- No work undertaken recently.

Future Developments:-

Work Programme:- Serco was one of two successful Primes for South Yorkshire and Groundwork had been chosen as a preferred sub-contractor by Serco and was waiting for further information regarding the contract.

Janet Johnson reported on:-

Local Action 21:-

- Rotherham in Root Festival attended and interactive workshop delivered around healthy living and sustainable food. 60+ participants attended the event from all over the Borough.
- Clifton Park Food Fair – Groundwork would showcase locally grown produce from their allotment facility at Spring Garden, Bolton-on-Deerne.
- Continued attendance at the Sustainability Partnership and hoping to be able to input into RMBC’s Allotment Strategy.

Members present discussed the following:-

- (i) Availability of the COMMA Aggregate Levy Fund next year. It was reported that it was sometimes not available in a particular

- area and that this changes over time
- (ii) Availability of Landfill Tax Credits
- (iii) Coronation Park play area – in need of renovation
- (iv) WREN – may be able to put money into projects which benefit the north of the Borough – the Council still had Third Party Funding available. It was suggested that a few well targeted bids might be successful.

It was agreed:- That officers from Groundwork Dearne Valley be thanked for their informative report and continued involvement in projects.

37. GROUNDWORK CO-OPERATION IN ROTHERHAM

Janet Johnson, Executive Director, Groundwork Dearne Valley read the following statement prepared by the three Executive Directors of the Groundworks Trusts (Dearne Valley, Sheffield and Creswell, Ashfield and Mansfield):-

“In these difficult times, Groundwork is looking to work more efficiently across the whole of South Yorkshire;

to reduce duplication;

to share resources and expertise within the staff teams;

and improve value for money, practical delivery, and the range of projects offered to our partners and to our beneficiaries.

In practice, this means two things. On the one hand, Groundwork Dearne Valley and Groundwork Sheffield are exploring ways of working very closely together, effectively operating to one business plan and as one staff team, but retaining the two separate charitable trusts.

This will introduce the name ‘Groundwork South Yorkshire’ which should more clearly indicate the operational area we cover (as the name ‘Dearne Valley’ often does not at present) and will, in time, provide one point of contact for all operations in this area.

This may lead to the establishment of a joint venture company, to be known as ‘Groundwork South Yorkshire’.

A steering group of trustees from both trust Boards, including Councillor Shaun Wright, has been established to take the process of closer co-operation forward in detail.

The objectives of the organisation, the work we do, the methods of delivery and relationships to partners will remain the same.

Secondly:- we are also exploring ways of working more effectively across Rotherham with Groundwork Creswell, Ashfield and Mansfield, to improve

clarity; maximise the strengths of both trusts in the borough and improve communication with partners and stakeholders.

Through the discussion we are aiming to put in place a Service Level Agreement between Groundwork South Yorkshire and Groundwork Creswell, Ashfield and Mansfield that builds on these strengths and identifies who the main contact will be for each operational area, which will assist future communication between Groundwork and the Council.

Again, the aim is to ensure that Groundwork can achieve its maximum potential in addressing the regeneration issues faced by people in Rotherham, particularly young children, young people, and the vulnerable in the community; providing access to education, training and jobs and business opportunities; and addressing neighbourhood issues using the environment as a focus to achieve this.”

38. ANY OTHER BUSINESS

The Chairman raised the issue of whether Groundworks were experiencing funding difficulties.

Janet Johnson reported that Groundworks now had the settlement from the DCLG. However this was less than before and there would be less next year and tapering. This funding would then be divided between the regions. Groundwork was in discussion about how to drill that down as it was based on how well each Trust had done in the past against output measures set by Government in 2009/10 and the Index of Multiple Deprivation with tweaks towards environmental factors. There would be a proportion of money for Rotherham, Doncaster, Barnsley and Sheffield. However it was pointed out that in some areas it was more difficult to get projects off the grounds and therefore some leeway was needed in allocating the money. The challenge for Groundwork was to maximise the use of the money.

39. TO CONFIRM THE DATE OF THE NEXT MEETING OF THE PANEL AS:-

It was agreed:- That the next meeting of the Panel be held on WEDNESDAY, 13TH JULY, 2011 at 2.30 p.m. – Town Hall, Moorgate Street, Rotherham. S60 2TH

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	CABINET
2.	Date:	8TH JUNE, 2011
3.	Title:	MINUTES OF A MEETING OF THE LOCAL DEVELOPMENT FRAMEWORK (LDF) MEMBERS' STEERING GROUP HELD ON 15TH APRIL, 2011
4.	Programme Area:	ENVIRONMENT AND DEVELOPMENT SERVICES

5. Summary

In accordance with Minute No. B29 of the meeting of the Cabinet held on 11th August, 2004, minutes of the Local Development Framework Members' Steering Group are submitted to the Cabinet.

A copy of the minutes of the LDF Members' Steering Group held on 15th April, 2011 is therefore attached.

6. Recommendations:-

(1) That progress to date and the emerging issues be noted, and the minutes be received.

(2) That Cabinet notes Minutes Nos. 4(2) Draft Core Strategy and 5(2) LDF sites Issues and Options, and that reports on these will be submitted to Cabinet for consideration.

7. Proposals and Details

The Council is required to review the Unitary Development Plan and to produce a Local Development Framework (LDF) under the Planning and Compulsory Purchase Act 2004.

The proposed policy change of the new Coalition Government should be noted re: the Localism Bill and implications for the LDF.

8. Finance

The resource and funding implications as the LDF work progresses should be noted.

9. Risks and Uncertainties

- Failure to comply with the Regulations.
- Consultation and responses to consultation.
- Aspirations of the community.
- Changing Government policy and funding regimes

10. Policy and Performance Agenda Implications

There are local, sub-region and regional implications. The Local Development Scheme will form the spatial dimension of the Council's Community Strategy.

11. Background Papers and Consultation

Minutes of, and reports to, the Local Development Framework Members' Steering Group.

Attachments:-

- A copy of the minutes of the meeting held on 15th April, 2011.

**Contact Name : Karl Battersby, Strategic Director,
Environment and Development Services
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karl.battersby@rotherham.gov.uk**

ROTHERHAM LOCAL DEVELOPMENT FRAMEWORK STEERING GROUP
Friday, 15th April, 2011

Present:- Councillor Smith (in the Chair); Councillors Pickering, Sharman and Whelbourn.

together with:-

Andy Duncan	Strategic Policy Team Leader
David Edwards	Area and Environmental Planning Team Leader
Dianne Hurst	Area Partnership Manager
Ken Macdonald	Solicitor, Legal Services
Bronwen Peace	Planning Manager
Tracey Seals	Sustainable Communities Manager (Interim)
Sumera Shabir	Legal Clerk
Helen Sleigh	Senior Planner
Ann Todd	Press and Public Relations Officer

1. INTRODUCTIONS/APOLOGIES

The Chairman welcomed everyone to the meeting.

Diane Hurst, Area Partnership Manager, was introduced.

Apologies for absence were received from:-

The Mayor, Councillor R. McNeely	Member of the Steering Group
Councillor J. Austen	Member of the Steering Group
Councillor B. Dodson	Member of the Steering Group
Councillor J. Doyle	Member of the Steering Group
Councillor I. St. John	Member of the Steering Group
Councillor S. Walker	Member of the Steering Group
Councillor J. Whysall	Member of the Steering Group
Councillor K. Wyatt	Member of the Steering Group

2. MINUTES OF THE PREVIOUS MEETING HELD ON 18TH MARCH, 2011

Consideration was given to the minutes of the previous meeting held on 18th March, 2011.

Resolved:- That the minutes of the previous meeting held on 18th March, 2011 be approved as a correct record.

3. MATTERS ARISING

There were no matters arising from the previous minutes not covered by the agenda items.

4. DRAFT CORE STRATEGY

Consideration was given to a report, presented by the Strategic Policy Team

Leader, which outlined the broad approach and content of the Draft Core Strategy.

It was reported that, subject to approval by the Cabinet, the Draft Core Strategy would be out for public consultation during summer 2011.

A brief summary of the background to the development of this document was given, and reference was made to the vision and objectives of the Strategy.

Reference was made to the anticipated abolition of regional strategies and the Council's proposal for a lower local housing target. Reference was also made to the employment land requirement over the plan period.

It was explained that the Draft Core Strategy contained a suite of 33 strategic policies grouped under four themes as follows:-

- Spatial strategy
- Sustainable communities
- Climate change
- New infrastructure

Also the Sites and Policies Document would be taken forward in tandem with the Draft Core Strategy during the public consultation.

Members present referred to:-

- the consultation process
- the housing target
- the timeline
- implications of the Localism Bill re: Greenfield/brownfield
- the importance of Members' briefings

Resolved:- (1) That insofar as this Steering Group is concerned the Draft Core Strategy be endorsed.

(2) That the Cabinet be recommended to approve the Draft Core Strategy for approval for public consultation.

5. LDF SITES ISSUES AND OPTIONS

Consideration was given to a report presented by the Area & Environmental Planning Team Leader, supported by a PowerPoint presentation, in respect of the proposed Summer 2011 consultation on the Local Development Framework's Core Strategy Final Draft which will be accompanied by the Issues and Options version of the Sites and Policies Development Plan Document (DPD).

It was explained that it was the role of the Sites and Policies DPD to identify the actual location of new sites to meet the Borough's settlement targets for growth set out in the Core Strategy.

The report provided an outline of the consultation document.

3 ROTHERHAM LOCAL DEVELOPMENT FRAMEWORK STEERING GROUP - 15/04/11

Further information was provided by the Senior Planner in respect of the consultation process, development of a community engagement action plan and timescale.

Members present referred to:-

- lessons learned from previous consultations
- the need to ensure elected members were fully briefed
- the Area Assembly network and role of the Co-ordinating Groups
- ensuring that the public had every means available to respond

Information in respect of the type of consultation and community engagement activities that have been planned over the summer months, and an outline of the type of events and activities proposed would be shared with the Cabinet.

Resolved:- That insofar as this Steering Group is concerned the proposed outline of the Sites and Policies Development Plan Document be supported with the full version being submitted to Cabinet for approval for consultation.

6. NEW CONSERVATION AREAS

Consideration was given to a report presented by the Area and Environmental Planning Team Leader, together with a PowerPoint presentation, detailing the Borough's current 26 existing Conservation Areas, and to the review (under the Planning (Listed Buildings and Conservation Areas) Act 1990) and ENV2.10 of the Unitary Development Plan which identified a potential 12 further settlements for designation as Conservation Areas.

A brief summary was given of the background to the compilation of the list of sites, and to the definition of sites. It was explained that the effect of the designation meant that any change must be carefully and sympathetically managed.

It was reported that it was intended to combine this process within the Local Development Framework's draft Sites and Policies Document for public consultation later this year.

Following appraisal the following sites were proposed for inclusion:-

Maltby (Church); Letwell: Stone: Firbeck: Ulley: Thrybergh: Upper Whiston: Morthen: Hooton Roberts: Throapham: Brookhouse: (all previously listed in the Unitary Development Plan).

However it was pointed out that sites at Chesterfield Canal (Turnerwood and Norwood) had not been put forward for inclusion as it was considered these were adequately protected as listed buildings.

Maps showing the proposed Conservation Areas were made available at the meeting.

It was explained that the consultation process would provide an opportunity for further sites to be suggested for designation as conservation areas.

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

(2) That the Steering Group supports the proposed public consultation exercise on the potential designation of additional Conservation Areas, as part of the Local Development Framework Sites and Policies Issues and Options Document.

7. ANY OTHER BUSINESS

Joint Waste DPD

It was reported that this document which had been produced jointly with Barnsley and Doncaster MBCs was published on 11th April for a six week statutory consultation period during which representations on its soundness could be made.

Following the consultation the document would be submitted to the Secretary of State for examination later in 2011.

It was explained that Member briefing sessions were arranged for each area and prior to Cabinet.

8. DATE, TIME AND VENUE OF NEXT MEETING

Resolved:- That the next meeting of the Local Development Framework Members' Steering Group be held on FRIDAY, 17TH JUNE, 2011 at 10.00 a.m.
- Town Hall, Moorgate Street, Rotherham.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Cabinet
2.	Date:	8 June 2011
3.	Title:	Local Development Framework: Public Consultation
4.	Directorate:	Environment & Development Services

5. Summary

The report seeks Cabinet approval for public consultation on the Local Development Framework (LDF). The consultation planned for summer 2011 will cover both the LDF strategy in terms of the broad amount and distribution of growth and the detail in terms of initial consultation on potential development sites around all the Borough's communities.

6. Recommendations

- 1. Cabinet approve the Draft Core Strategy and the Sites and Policies Issues and Options documents for public consultation.**
- 2. Cabinet approve the timetable at Table 1 to achieve adoption of the Core Strategy by the end of 2012.**
- 3. Cabinet endorse the LDF Consultation and Engagement Action Plan Summary attached at Appendix 1.**

7. Proposals and Details

Purpose

The Council is preparing a Local Development Framework (LDF) for Rotherham. This is a statutory requirement under the Planning and Compulsory Purchase Act 2004 (and remains so under the Localism Bill).

The LDF consultation planned for summer 2011 will cover both the LDF **strategy** in terms of the broad amount and distribution of growth and the **detail** in terms of initial consultation on potential development sites around all the Borough's communities.

Two consultation documents contain the detail of our proposals, a "Draft Core Strategy" and a "Sites and Policies Issues and Options" document. This report summarises the key aspects of both documents. **The Draft Core Strategy and Sites and Policies Issues and Options documents will be made available to Cabinet Members prior to the meeting.**

Consultation

In light of the consultation response received to our previous consultation in 2009, and changes to government policy, we have significantly reduced our housing target. Although the regional "top down" target is still technically in place, the upcoming Localism Bill will abolish these targets towards the end of 2011. To accommodate this lower local target we have revised our strategy for how new homes and employment land should be distributed around the Borough.

The forthcoming LDF consultation will set out this strategy but will also focus on the potential development sites in each local community. The headlines of our changed strategy are:

- **we have reduced our housing target by 27%**
- **we have reduced our employment land requirement by 30%**
- **we have reduced the amount of Green Belt land release by 60%**

Learning the lessons from our last consultation, we will look towards:

- localised "drop in" events on potential development sites for each community
- improved pre-publicity for consultations and local events
- advanced briefings for Ward Members, MPs and Parish Councillors
- improved liaison with the Area Assembly network
- closer working with Libraries and Parish Councils on consultations
- early engagement with the local press as a further means of ensuring engagement with and involvement of local people

Key messages for the consultation

- New homes are essential for the lifeblood of Rotherham
- Helping young families on to the housing ladder – affordable homes
- Improving job prospects for Rotherham people
- Good for families, communities and business
- It's a local plan – not a “top down” target
- Long-term plan for the future – not overnight change
- Responding to changing needs of Rotherham people
- Opportunity for Rotherham residents to have their say
- The right development in the right place at the right time

A summary of the LDF Consultation and Community Engagement Action Plan is attached at Appendix 1.

Draft Core Strategy

The Draft Core Strategy sets out the Council's vision for the future development of the Borough and the strategic policies to guide investment and development decisions to achieve this vision.

Vision and objectives

The vision for the future of Rotherham is set out in the Draft Core Strategy as:

Rotherham will provide a high quality of life and sense of place. It will be prosperous, with a vibrant, diverse, innovative and enterprising economy and have the best in architecture, urban design and public spaces. Regeneration of the town centre will offer urban living and a new civic focus. Rotherham will promote biodiversity and a high quality environment where neighbourhoods are safe, clean, green and well maintained, with good quality homes and accessible local facilities and services. It will aspire to minimise inequalities and create strong, cohesive and sustainable communities.

The vision is underpinned by 17 objectives, linking in to the Rotherham Sustainable Community Strategy's themes, covering subjects ranging from the provision of sufficient new homes to protection of the environment.

Strategy

The Council is proposing a lower local housing target of **850 new homes a year**. This figure anticipates the abolition of regional strategies and reflects previous public consultation response. This is in line with an assessment of the latest evidence on future household growth and the capacity available on suitable sites. This will require 12,750 new homes to be built over the 15 year plan period from 2012 to 2027.

Based on a review of employment land, it is considered appropriate to provide for around **230 hectares** of employment land for new economic development with up to an additional **5 hectares** of land to accommodate new office floorspace. The current shortfall of around 60 hectares will be addressed by the further review of preferred development sites taking into account the consultation response.

Policies in the Core Strategy will maintain a “brownfield first” approach and phase release of Green Belt land towards the end of Plan period.

Policies

The Draft Core Strategy contains a suite of 32 strategic policies grouped under four themes designed to meet the main aims of the strategy, which are:

- to implement a long-term **spatial strategy** that steers new development to the most sustainable locations (how much, where and when)
- to create and secure **sustainable communities** that are as self sufficient as possible in terms of employment, retail and local services
- to reduce the Borough's contribution to, and adapt to the effects of, **climate change**
- to ensure that the necessary new **infrastructure** is delivered to support the Plan's spatial strategy (schools, roads, shops, public transport)

As well as providing for new homes and employment, the Draft Core Strategy's suite of policies covers a range of related subjects such as transport, retail provision, heritage protection, flooding, biodiversity, design, greenspace and climate change.

The Draft Core Strategy has been subject to Sustainability Appraisal, which will be made available as part of the consultation.

Sites and Policies document

The public consultation during summer 2011 will show the **strategy** of how much growth we are proposing and where it should go. The **detail** will be covered by presenting to the public all the potential sites for future development in local communities. This will enable local people to give their views on which sites they feel should be developed and which should not. All this information will be publicised and made available at public drop-in sessions throughout the Borough and via our website.

These sites will be taken forward in the “Sites and Policies” document, which will be subject to further public consultation as it evolves. The Sites and Policies document will also propose new designations to steer development to less sensitive locations, for example 11 new Conservation Areas.

Programme for adoption of the Core Strategy

The current programme for the LDF aims to achieve the adoption of the Core Strategy by the end of 2012. This is necessary to ensure the Council is ready to respond to the Localism Bill – to control our own destiny in shaping the Borough's growth. This is a challenging task bearing in mind the regulatory process that has to be followed. Table 1 sets out the stages required. Any delay in achieving these milestones risks delay to the whole programme.

2011	July/Aug/Sept	Public consultation on Draft Core Strategy and Sites
	Nov/Dec	Cabinet and Full Council approve Publication Core Strategy
2012	Jan/Feb	Core Strategy published for statutory 6 week period
	Mar/Apr	Cabinet and Full Council approve submission of Core Strategy to government
	Apr	Core Strategy submitted to government for independent examination
	July/Aug	Core Strategy examination in public
	Nov	Inspector's report received
	Dec	Cabinet and Full Council adopt Core Strategy

8. Finance

There are no direct financial implications arising from this report although the consultation planned for summer 2011 will increase pressure on the Forward Planning team's budget. Corporate assistance with the consultation exercise has been approved and officers from relevant services will be assisting with the consultation.

9. Risks and Uncertainties

Cabinet approval of the public consultation is sought to enable progress towards adoption of the Core Strategy and the further preparation and refinement of the Sites and Policies document.

- The supplementing of media relations activity with more direct communication should be considered. Investment in channels such as direct mail may be necessary to ensure adequate levels of communication and engagement. Previous criticisms have included a perceived lack of information about the consultation.
- The Localism Bill will bring in a "presumption in favour of sustainable development" should an adopted development plan not be in place by the end of 2012. This could lead to the Council having to grant planning permission for major (greenfield) development contrary to our priorities, aspirations or locational preferences.

- A failure to achieve timely progress on the LDF could delay the spatial strategy which is required to guide future decision-making on planning applications, and may hinder our ability to mediate potentially conflicting aspirations of any neighbourhood plans that may emerge under the provisions of the Localism Bill.
- The ongoing legal challenges to the government's intention to revoke regional strategies and the targets they contain could have implications for our strategy. On the one hand we may be challenged for consulting on a lower housing target before regional strategies are formally revoked. On the other if we delay we risk not having a plan in place by the end of 2012 and therefore being at risk of speculative development in inappropriate locations. On balance, the need to progress outweighs the risk of challenge. To further mitigate this risk we will consult now on a lower target in our "draft" plan but will not formally "submit" our Core Strategy to government until after the Localism Bill has been passed and regional strategies are revoked.
- Last but not least, failure to make progress with the LDF risks delayed provision of the new homes and employment opportunities that the Borough needs.

10. Policy and Performance Agenda Implications

The implementation of the LDF will make a positive contribution to all of Rotherham's Regeneration priorities. When adopted, the Core Strategy and accompanying documents will further the objectives of the Corporate Plan and support the delivery of the Rotherham Sustainable Community Strategy by:

- providing sufficient good quality homes to support the priority of Rotherham Safe
- ensuring well designed, decent affordable housing to contribute to the cross-cutting theme of Sustainable Development
- providing employment land to meet the needs of the modern economy and support sustainable communities through access to employment opportunities
- promoting the "town centre first" policy approach to help the regeneration and renaissance of Rotherham Town Centre

11. Background Papers and Consultation

LDF Draft Core Strategy (June 2011)

LDF Sites and Policies Issues and Options (June 2011)

Contact name:

Andy Duncan, Strategic Policy Team Leader
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Appendix 1: LDF Consultation and Engagement Action Plan Summary

Date (2011)	Activity	Comments
16 May – 20 June	Briefing of Members via Area Assembly Co-ordinating Groups	7 meetings
24 & 25 May	Member training on LDF	2 sessions
1 June	Press briefing	Cabinet agenda papers in public domain
2 June	Local Strategic Partnership Chief Executives meeting	LDF briefing
8 June	Cabinet	LDF consultation presented for approval
June	Briefing librarians	Principal librarians contacted and briefed
30 June	Website completed	Ensure links can be created from Area Assembly and Parish Council websites to Council web pages
1/8 July	Consultation launch (date TBC)	Press / radio interviews. Letter / email to all key stakeholders. Hard copy documentation in Council offices and libraries etc. Website live with consultation material and event calendar
1/8 July	Advert placed in local press	Format of a "Statutory Notice" to also include confirmed dates and times of events
7 July	Parish Network Event	
w/c 11 July	Stakeholder Seminar (date TBC)	Actual date and format to be discussed. By invitation
15 July	Briefing of local MPs	Briefing note circulated before launch
1 July – 30 Aug	Around 20 x public drop-in sessions	Advertise all events through posters and flyers made available at publicly accessible venues. Consider placing an advert in local press
1 July – 16 Sept	Around 12 x policy themed workshops , communities of interest and hard to reach groups held	Community Engagement Team / Area Assembly Team / Sustainable Communities Team. By invitation
16 Sept	Consultation closes	
End Oct	Analyse comments and publish Feedback Report	Timing subject to complexity of response and Member approval

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting	Cabinet
2.	Date	8th June 2011
3.	Title	New Homes Bonus
4.	Directorate	Neighbourhoods and Adult Services & Economic Development Services

5. Summary

To update Cabinet on the New Homes Bonus, to note how it could be used to invest in urban renewal and place-making to contribute to sustainable economic growth and to set out an investment proposal for 2011/12.

Rotherham have received notification that £508,364 will be the New Homes Bonus for 2011/12 and that future levels of bonus will be very dependent on the scale of new housing delivery locally, the number of long term void properties and the number of homes demolished. (Appendix 1)

6. Recommendations

- **Note the importance of the introduction of the New Homes Bonus.**
- **Note that £50,000 of the New Homes Bonus could be used to support the publication of an Infrastructure Delivery Plan for Rotherham via Planning Services.**
- **Note that £458,364 of the New Homes Bonus could be used to invest in urban renewal in Canklow to make the area attractive for inward investment and achieve the tipping point where it will become sustainable.**

7. Proposals and Details

7.1 Background

In November 2010 the government announced a new funding stream, the New Homes Bonus. This scheme is designed to “reward authorities that deliver sustainable housing development”. For every new home built the government will pay the equivalent council tax as a bonus payment for the next six years. In addition a premium of an extra £350 will be paid for each affordable home that is built. Private sector properties that have been empty for 6 months or more and are brought back into use will qualify for the New Homes Bonus. However demolitions will be deducted from the total of new homes built.

The calculations for the New Homes Bonus are taken from the Council Tax Base. The base year for calculations is 2009/10 and the first payments will be paid as part of the Councils settlement figure in April 2011. We now know the settlement figure to be paid this year is £508,364 will be paid as New Homes Bonus this April, followed by approximately £1 million in April 2012. A similar figure of £1 million can be assumed for the following 2 years based on current building levels. The Government will pay New Homes Bonus as unringfenced grant as part of Local Authority settlement.

7.2 Principles

Considerations in determining how best to utilise the New Homes Bonus are:

- Does it have local community support?
- Does it help deliver our corporate priorities?
- Does it support delivery of the LDF?
- Will it lever in private sector investment?
- Will it help meet our future house building targets?
- Does it promote sustainable development?
- Does align with Sheffield City Region significant housing & economic interventions?

An important feature of the New Homes Bonus is that Communities who accept new house building see the economic benefits of development within the community. However, the government does not prescribe what constitutes a “community”. 100% of the NHB will be paid to Rotherham as a metropolitan authority to use across the borough.

On 17th February 2011 the board of the Sheffield City Region acknowledged how investment in urban renewal and place making has levered in private sector investment and what would the implications of not investing in such activities.

The Joint Housing & Regeneration Board of the Sheffield City Region sent a letter to all Chief Executives encouraging the local authorities to examine the extent to which an element of NHB funding can be aligned to help progress housing interventions of strategic & economic significance for mutual benefit. (Appendix 2).

Use of This Years Allocation Infrastructure Delivery Plan

It is proposed to invest £50,000 of NHB to support the Infrastructure Delivery Plan for Rotherham, which must be submitted with the Core Strategy this year. The IDP will cost (as advised by the HCA) in excess of £100,000 to support the allocation of housing sites. There is some budget in Planning Service but an additional £50,000 is required to enable this project to be carried out.

In doing this we will be able to facilitate user friendly and easily accessible consultation information relating to the Core Strategy and Sites Information as advocated by the Planning Advisory Service and also supported by the Council's Media and Public Relations Office.

Canklow – Urban Renewal

The Council's Local Investment Plan 2011-14 identifies a number of sustainable community priorities which, under the last national administration would have been resourced. However, the shift in funding from regional HCA's into Local Investment Plans to the new Affordable Housing Development Framework and the withdrawal of HMR Pathfinder funding means that the £51.5m LIP priorities are not resourced.

The number one investment priority in terms of sustainable community planning is the continuation of work in Canklow. The work commenced in 2009 and has been immensely challenging and emotive for the residents and businesses affected. The withdrawal of funding has created a tension of uncertainty and escalating issues of crime, over-crowding, anti-social behaviour as a result of vacant, partial demolition and poor quality housing. There is a need for stability in Canklow. This will reduce the money spent on services such as the Police and Fire Services as well as Local Authority support services. Continuation of this renewal work will help to achieve this stability and create the conditions for private sector investment.

It is proposed that the remaining Year 1 allocation of NHB, £458,374 be allocated to this essential renewal work in Canklow, to be spent on Warden Street and Canklow Road to complete the clearance and enable re-provision of good quality residential accommodation. Thus, leveraging in private sector development. Appendix 3 provides the background to this proposal.

Future Proposals

This list gives an indicative list of how NHB may be used.

Year 2 – 2012/13

- *Affordable Housing- New Homes Bonus could be used as a funding pot to provide affordable housing including specialist housing and DPU's, Local Authority New Build, RP support, unlocking unviable sites and other measures which may arise. The increase in new homes will then be counted towards future NHB , thus generating more income for Rotherham.*
- *Urban Renewal Boroughwide – this activity would be ion line with local priorities as determined through the planning and consultation processes. Neighbourhood Investment Service would bring a full report to cabinet for agreement of what the NHB should be spent on.*

Year 3 – 2013/14

- *Community Projects – These will be identified through the LDF/ Planning process. IT is envisaged that priority projects will be where there has been new house building – to “reward” communities who accept new developments.*

7.3 Next Steps

Following this report being tabled; Neighbourhood Investment Service will then bring detailed reports to cabinet at regular intervals to detail how the NHB will be spent.

8. Finance

Appendix 1 details this year’s bonus settlement and gives a projection of what future years bonuses may be.

As the number of new homes increases so will the amount of NHB to be paid. Therefore use of the NHB to stimulate housing growth will in turn lead to more revenue for the council, which can be re-invested.

9. Risks and Uncertainties

9.1 Neighbourhood Investment Services will use NHB to continue key urban renewal projects in our most deprived areas. Areas such as Canklow have not yet reached the tipping point to become self sustaining. We need to protect the investment that has already been made into Canklow and if regeneration is halted the benefit of previous investment will be lost. This is in line with the Council’s objective of ensuring that “No Community is Left Behind”.

9.2 Failure to invest in Affordable Housing will mean that R.M.B.C waiting lists will continue to grow. As well as absolute numbers of people who cannot afford to buy there will be a lack of specialist provision such as Older Persons Accommodation for people to down size to homes that better meet their needs. The knock on effect of this is that fewer family sized council homes will become available as older people move out of them. Similarly the authority has a need for housing for people with disabilities, particularly family sized accommodation where a parent or child is disabled.

9.3 If NHB is used at this time to continue urban renewal and stimulate housing growth then R.M.B.C. will benefit from an increased amount of NHB in future years. The government have only allocated additional funding to support NHB payments until 2014/15. After this year funding for the rolling programme will come from formula grant. Therefore to gain the maximum additional revenue that we can we need to use NHB to enable delivery of new homes quickly and before 2014/15.

9.3 Using NHB to stimulate housing growth will create a greater pot of NHB which can be used as cyclical investment for future projects.

9.4 The Infrastructure Delivery Plan will be a key document in delivering the objectives of the LDF. If Rotherham does not undertake this piece of work then future planning objectives may be compromised.

10. Policy and Performance Agenda Implications

Ensuring That No Community Is Left Behind

By continuing the process of urban renewal in our most deprived areas they will be improved to align with other parts of the borough.

Providing a Quality Education, ensuring people have opportunities to improve their skills, learn and get a job.

When appointed contractors NIS have historically insisted that there are training and employment opportunities for local people. For example the LANB project led to training opportunities for local young people. We will continue to insist that these training opportunities are a key part of all renewal/ affordable housing contracts.

Ensuring that care and protection are available for those people who need it most.

Specialist Housing provision will ensure suitable homes and the associated care packages will be available.

Helping create Safe & Healthy Communities

The objectives of urban renewal are to create sustainable communities which are safe and healthy for all residents.

Improving the Environment

Neighbourhood Investment Services will continue urban renewal work in our most deprived and bighted communities to improve the environment and make them desirable and sustainable places to live

11. Background Papers and Consultation

Report to Members – Cabinet Member for Safe & Attractive Neighbourhoods – Response to Consultation on New Homes Bonus – 20th December 2010.

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Appendix 1

This years allocation and projection of future awards

The NHB amount a local authority will receive is based on the number of **net additional dwellings** which is worked out by calculating the effective housing stock (total stock less long-term empty homes) as recorded on the council tax database from one year to the next.

Projections of future NHB grant based on three scenarios are given below.

1. Based on current performance and assuming rate is carried forward (**384** additional dwellings):

Provisional allocations based on October 09-10 delivery						
Payments received in:						
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
£508,364	£508,364	£508,364	£508,364	£508,364	£508,364	£3,050,184
Cumulative payments (assuming same delivery rate going forward)						
Payments received in:						
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
£508,364	£1,016,728	£1,525,092	£2,033,456	£2,541,820	£3,050,184	£10,675,644
* Based on net additional dwellings of 384						
** (256 net additions to stock + 128 long-term empty homes brought back into use)						
*** Affordable housing units = 100						

2. Based on past 12 years average completion rate (**708** additional dwellings):

Provisional allocations based on historic delivery						
Payments received in:						
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
£829,846	£829,846	£829,846	£829,846	£829,846	£829,846	£4,979,076
Cumulative payments (assuming same delivery rate going forward)						
Payments received in:						
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
£829,846	£1,659,692	£2,489,538	£3,319,384	£4,149,230	£4,979,076	£17,426,766
* Based on average completions of 708 (12 financial years 08/09 to 09/10)						
** (assumes no change to number of vacant homes and no demolitions)						
*** Affordable housing units = 108 (12 years average)						

3. Based on achieving a proposed local target of **850** homes per annum:

Provisional allocations based on local target delivery						
Payments received in:						
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
£1,003,403	£1,003,403	£1,003,403	£1,003,403	£1,003,403	£1,003,403	£6,020,418
Cumulative payments (assuming same delivery rate going forward)						
Payments received in:						
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
£1,003,403	£2,006,806	£3,010,209	£4,013,612	£5,017,015	£6,020,418	£21,071,463
* Based on completions of 850 (suggested local target)						
** (assumes no change to number of vacant homes and no demolitions)						
*** Affordable housing units = 150 (assumed)						



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To: Sheffield City Region Local Authority Chief Executives

24 March 2011

Dear

Use of the New Homes Bonus to support place making and renewal: statement from Sheffield City Region Joint Housing and Regeneration Board

At its meeting on 3rd February, the SCR Joint Housing and Regeneration Board considered how the Comprehensive Spending Review had radically altered the funding available for housing and regeneration in the City Region and recognised that thinking now needs to focus on how physical renewal and improvements to a local environment can be achieved through different mechanisms than previously and that stronger connections must be made between renewal, physical improvements and community development, enterprise and sustainable economic growth.

As requested by the meeting of the SCR Chief Executives on 23rd February, at the Joint Board meeting on 17th March, the Board considered the importance of the introduction of the New Homes Bonus and noted that how the income from the Bonus was spent by local authorities would have cross-boundary implications. The Joint Board noted that the income from the Bonus could be significant but also that it would be non ring fenced and that it is being introduced at a time of overall cuts to local authority budgets. The Joint Board also noted that one of the reasons behind the introduction of the Bonus was to ensure that communities could see a benefit of having housing growth in their local area.

In this context, the Joint Board considered examples from across the City Region of how investment in urban renewal and place-making had levered in private sector investment and what would be the implications of not investing in such activities.


The Joint Board therefore agreed that it was important for local authorities to consider how the income from the New Homes Bonus could be spent to foster sustainable economic growth through urban renewal and place-making activities, bearing in mind the wider benefits to local communities that would result from increased private sector investment. The Joint Board paper from 17th March is attached for information.

The Joint Board is mindful of the long track record of joint working between many of the local authorities within the Sheffield City Region. In light of this, the Joint Board encourages local authorities to examine the extent to which an element of New Homes Bonus funding can be aligned to help to progress housing interventions of strategic and economic significance for mutual benefit.

The Joint Board is interested in understanding how the income from the New Homes Bonus is spent by local authorities in the City Region and the Joint Board hopes that local authorities will be happy to share this information in due course to inform future discussions.

If you have any questions about the Joint Board's discussions on the use of the New Homes Bonus and any other aspects of the Joint Board's work, please do get in touch with me.

Yours sincerely

A handwritten signature in cursive script that reads "Sylvia Yates".

Sylvia Yates
Executive Director

Attached: 'New Homes Bonus: statement of intent', paper for SCR Joint Housing and Regeneration Board, 17th March 2011

Appendix 3

Canklow Regeneration, Warden Street, Castle Avenue and part of Canklow Road.

After extensive community consultation and a through stock condition survey, properties on Warden Street, Castle Avenue and part of Canklow Road were identified as failing the decency standard. In view of this and the high level of voids it was proposed the properties on Wardens Street, Castle Avenue and part of Canklow Road should be demolished to assemble a redevelopment site.

On 2nd March 2009 at the Cabinet Member for Neighbourhoods meeting, approval was given for the acquisition and demolition of properties in Phase 1 which included the odd numbered properties on Warden Street and the remaining properties on Castle Avenue. Phase 1 is successfully completed leaving a cleared site of 0.6 hecets for new development.

Phase 2 was also approved pending successful draw down of additional funding. Currently there is no further regeneration funding identified to start and complete Phase 2. A holding strategy has since been developed to manage the area, but it is dependent on the commitment of partner organisations, including the Police, Fire Service, Community Protection Team etc. who are all facing budget cuts too. The cost of acquisition and demolition of properties on Phase 2 is estimated at £3.4m.

Current position with properties on Phase 2 – Warden Street:

- Currently 14 properties out of 30 on Warden Street are empty; most of these properties are in the ownership of landlords or Mortgagee in Possession. They have not been let but have been breached and vandalised and are in very poor state of repair. One of the empty properties is in RMBC ownership, one is in the ownership of Sanctuary Housing Association and one is in private ownership.
- 13 properties in total on Warden Street are Mortgagees in Possession. There are three lenders on Warden Street, two who have established a good relationship with the Council, and have a good reputation in the area.

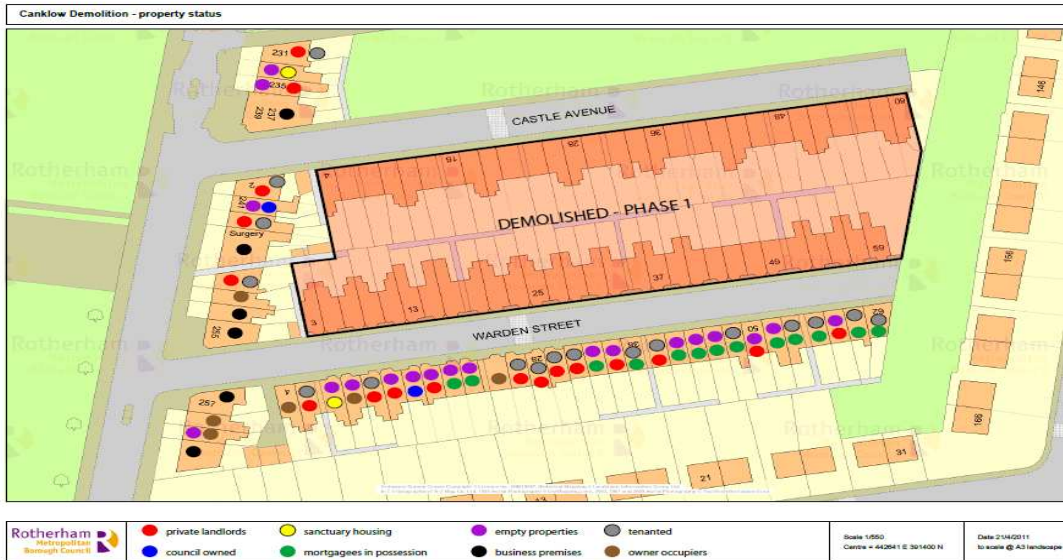
The current position with properties on Phase 2 - Canklow Road

- On Canklow Road 4 out of 17 properties are empty with one in RMBC ownership and one in Sanctuary Housing Association ownership.
- The rest of the of the properties include a GP surgery, an off licence with adjoining living accommodation, a small general store, a Chinese takeaway, a Fish and Chip Shop which is not in operation, and a Pharmacy. Currently there are 3 owner occupiers and 5 private tenanted properties.

The main concerns in the area are the number of empties on Warden Street, which cause the residents and tenant's ongoing problems with anti-social behaviour, threat of fire, constant harassment and housing which is now being neglected through non investment by landlords.

The businesses on Canklow Road are also under considerable strain, and are reluctant to invest in their businesses partially due to loss of business associated with the demolition process, but mainly because of the uncertain future created by the demolition proposals. A private sector developer has planning permission to develop retail and residential above retail on the opposite side of Canklow Road. The businesses have already expressed their concern that the private sector development may lead to them extinguishing their businesses.

The diagram below provides a visual impact on the outstanding properties identified in Phase 2.



In 2007, Cartwright Pickard completed a draft Development Framework, this provides early thinking about the shape and form of future development. The scheme drawing below provides layout and unit types for the Castle Avenue, Warden Street and Canklow Road, this suggests that 64 units on that site.



ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	The Cabinet
2.	Date:	8th June 2011
3.	Title:	Charging for Housing Act 2004 Enforcement
4.	Directorate:	Neighbourhoods and Adult Services

5. Summary

Cabinet Member for Safe & Attractive Neighbourhoods considered a report on the 18th April 2011 addressing the provisions of the Housing Act 2004 that allows for a Local authority to make a charge for the service of enforcement notices.

It was agreed that Cabinet be requested to refer to Council for adoption the discretionary power with the effect of introducing a charge for specific private sector housing enforcement action carried out by the Safer Neighbourhood's Community Protection Unit (minute 6 of 18th April 2011 refers).

6. Recommendations

That Cabinet recommends to Council;

- 6.1. the introduction of a charging system under Section 49 of the Housing Act 2004 with respect of the service of Improvement Notices, Prohibition Orders, Emergency Remedial Action, Emergency Prohibition Orders and Demolition Orders.**
- 6.2. that the relevant Notices only be served in accordance with the principles of the Enforcement Concordat and the Council's General Enforcement Policy.**
- 6.3. the General Enforcement Policy be amended with the introduction of Section 3.7.**
- 6.4. that owner occupiers be exempt from the proposed charging regime.**
- 6.5. the introduction of the charging system be with effect from 1st August, 2011.**

7. Proposals and Details

7.1 The Housing Act 2004 ('the Act') came into force in April 2006. Within the Act, section 49 gives local authorities the discretion to charge for the service or making of enforcement notices listed as follows;

- Improvement Notices (requiring that works be carried out).
- Suspended Improvement Notices (as above, but the operation of the notice delayed until a specific event occurs e.g. a vulnerable person moves into the property).
- Prohibition Orders (restricting the occupancy of a property).
- Suspended Prohibition Orders (as above, but the operation of the notice delayed until a specific event occurs (e.g. the current occupier is re-housed)).
- Hazard Awareness Notices (advising an owner of a risk, but not requiring remedial action or restricting the occupancy of the property).
- Emergency Remedial Action (works of improvement in very urgent situations).
- Emergency Prohibition Orders
- Demolition Orders

The Act provides that the following type of activity on the part of the Council, may form the basis for any imposed charge (although these vary with the notice option being considered):

- Determining whether to serve the notice.
- Identifying any action to be specified in the notice.
- Serving the specified notice.
- Reviewing a Suspended Improvement Notice or Suspended Prohibition Order (a review must be undertaken within a year of service, and subsequent reviews at intervals of not greater than one year thereafter).

To date, the Council has not adopted this provision as it was viewed prudent to identify good practice across local authorities, in both imposing and recovering this charge, before adoption was considered. The most recent survey undertaken in 2008 by the Chartered Institute of Environmental Health indicates 45% of responding Local Authorities had adopted the charging provision. It is now felt that adequate guidance is available to develop systems and procedures making charging a practical option.

7.2 Landlords within the private rented sector have a legal responsibility to maintain their properties in a good state of repair and free from hazards to their tenants. Where a landlord fails in this duty, the Council then has a duty to take action to require that the landlord improves the property to remove or reduce hazards.

The Council's Safer Neighbourhood Unit is responsible for responding to all housing related complaints from private tenants, who have difficulty asserting their legal rights through their landlord. They also deliver proactive housing assistance and enforcement in areas of highest housing need.

In achieving compliance the Safer Neighbourhood team uses a wide range of formal and informal actions which comply with the Enforcement Concordat and Council's General Enforcement Policy. The principles being that, in taking enforcement action, we follow clear and simple procedures and standards which are transparent, helpful, consistent and proportional underpinned with a clear procedure for complaints. Proposals for charging for enforcement need to be consistent within these principles.

- 7.3 The standard procedure when there is a serious contravention of the Act (and informal approaches to the landlord have failed) an officer will serve a legal notice requiring remedial action to be taken. The process follows that, where a landlord fails to comply, the Council may instigate proceedings against the landlord and/or do the works in default and recover costs.

It is in these situations, where a landlord fails to respond to initial, informal approaches to comply with their duties, that the statutory process required to further the enforcement process becomes complex and time consuming. It places a considerable burden on officer's time, which then affects their ability to respond to other clients and also may provide a negative experience to the tenant and their perception of the Council's speed of being able to solve the issue.

At the present time, a landlord can extend the period that a tenant has to suffer poor housing conditions by waiting for a notice to be prepared and served without any penalty or loss. If a landlord finally complies with the notice before it expires, they do not commit an offence and thus the time committed to gaining compliance by officers is unrecoverable.

The Act acknowledges this, and section 49 gives local authorities the discretion to charge for the time in the preparation and service of enforcement notices.

If the charging for the specific enforcement actions is adopted, the ability to recover a charge for the time devoted to preparing legal notices is found to deter landlords from ignoring issues when initially advised of hazards at their properties. In doing so this will reduce the time tenants live with the defect and the number of instances where officers have to prepare full legal notices. This will release officer time and improve productivity, whilst benefiting the tenant.

- 7.4 It is proposed that the Council start to charge for the following forms of enforcement under the Housing Act 2004:

- Improvement and Suspended Improvement Notices (sections 11, 12 and 14).
- Prohibition and Suspended Prohibition Orders (sections 20, 21 and 23).
- Emergency Remedial action (section 40).
- Emergency Prohibition orders (section 43).
- Demolition Order (section 265 Housing Act 1985).

It is not proposed that there is a charge for Hazard Awareness Notices, as these are an advisory notice and no formal action can be taken should the recipient fail to comply with this.

Housing Notices under the Act can be served on owner occupiers, though this is rare. Serving notices on owner occupiers may be a duty in some cases and can be a useful tactic in others, to protect both the home owner and the Council. As there is a commercial distinction between a landlord who operates his properties for profit and an owner occupier, it is proposed that where a notice is served on an owner occupier, they be exempted from this charge under section 49 of the Act. This would not affect recovery of costs in any further legal action should it be required.

- 7.5 It is proposed that the level of charge be based on the requirements of the Act, (described in 7.1), and specific to the officer time involved in the preparation of the individual notice. This will require changes in our procedures to allow for time recording whilst enforcement notices are being prepared. This change will not have any financial implication, but it is recommended a system development period is allowed before introduction. An introduction date of the 1st July 2011 is proposed.

The charging regime requires that there is no fixed charge and, as a result, the charge will vary from case to case. This is a reasonable and fair approach, consistent with the Enforcement Concordat, as preparing notices for a property with multiple hazards is more time consuming than for a single hazard. It is also in line with best practice as Councils must prove the 'reasonableness' of any fee charged on a case by case basis. In addition, the Housing Health and Safety Rating System Enforcement Guidance, though not the Act, suggests authorities should take account of the personal circumstances of the person or persons against whom the enforcement action is being taken. The degree to which authorities consider personal circumstances is at their discretion, having regard to the resources available to them. This leaves room for a suitably delegated officer to take exceptional circumstances into account to vary or quash a charge.

In accordance with the principles of the Enforcement Concordat landlords will be advised of this potential fee in all enforcement orientated correspondence. Also, the Enforcement Policy will be amended to advise clients and officers when this fee will be applied. The amended General Enforcement Policy (new section 3.7) is provided in Appendix 1.

It is further proposed, that an illustrative fee of £400 (based on the cost of preparing the average Housing Act Improvement Notice with a disclaimer that the actual cost of notices in specific cases may vary) be included. In all but cases of imminent risk, the Landlord will be contacted and offered an opportunity to comply before a notice is served. In cases of imminent risk, an attempt will be made to involve the landlord before service of notice, but if a landlord cannot react quickly enough, or cannot be contacted, notice will be served and the charge incurred.

The recipient of the notice has the right to appeal against the notice and the charge to the Residential Property Tribunal. A tribunal may make an order to reduce, quash or require repayment of any charges made.

8. Finance

- 8.1 It is important to note that the aim of the enforcement activity carried out by the Council to improve the quality of the housing across the district and protect tenants; however as a consequence of this proposal, there is the potential for an increase in the income generated by the team through enforcement activity.
- 8.2 Councils, however, are required not to use section 49 as an income generating tool. Only justified notices which comply with the Enforcement Policy may be served and any charge made, must accurately reflect the Councils costs in preparing that notice.
- 8.3 Recovery of the fee will be via established sundry debtor arrangements and the charge in cases of non payment may be placed against the property as a local land charge.
- 8.4 In the year 2009/10, 61 relevant notices were served, it is anticipated that the charge itself will prompt landlords to react more quickly, reducing the number of notices required to be served. As an illustration, if we assume a 50% reduction in notices served, 30 notices at an average cost of £400 would produce an income of £12,000.

9. Risks and Uncertainties

- 9.1 Section 49 of the Housing Act 2004 gives the local authority the discretion to charge for the service of notices. There is no maximum limit to the level of the charge however the charge must be justifiable and reasonable. Section 49 (6) provides that the appropriate national authority may impose a limit through regulation at any time. Further to this, guidance recommends that consideration of the personal circumstances of the proposed recipient of the demand for payment should be considered – there may be circumstances which result in a reduced charge or no charge being made at all. This discretion will be embedded in approval procedures.
- 9.2. The recipient of the notice has a right to appeal against the notice and the charge. A tribunal may make an order to reduce, quash or require repayment of any charges made.
- 9.3 Charging for notices must not be seen as a potential source of generating income. Enforcement action must only be taken where it is appropriate to do so. The Council is at risk of being challenged where a disproportionate number of notices have been served inappropriately to generate income.
- 9.4 The current delegation of Council powers to the Director of Housing & Neighbourhood Services with respect to the Housing Act 2004 cover the introduction of the charging regime.

10. Policy & Performance Agenda Implications

10.1 This item is aimed at improving the efficiency of Rotherham's housing enforcement, having regard to available resources and thus improving the lives of private tenants. Alignment with Community Strategy and the Corporate Plan is clear from Rotherham Safe. Effective housing enforcement is clearly an important aspect to the Corporate Plan's goals of;

- Ensuring care and protection are available for those people who need it most
- Helping to create safe and healthy communities.

This especially the case to achieve our aspiration that people are able to live in decent affordable homes of their choice and by that directly contribute to the delivery of the Housing Strategy.

In addressing the Community Strategy's "Rotherham Safe" objectives the following key strategic actions are delivered;

- Aiding the development of a sustainable housing stock.
- Increase satisfaction with local neighbourhoods.
- Making the connection between national and local strategies.

10.2 Effective housing enforcement has clear linkages to the Outcomes Framework for Social Care, and importantly includes:

- **Improved Health and Emotional Well-being**, by promoting and facilitating the health and emotional well-being of people who use the services.
- **Improved Quality of Life**, by supporting independence of people to live a fulfilled life.

11. Background Papers and Consultation

- Housing Act 2004.
- Statutory Instrument 2006 No. 373 Office of the Deputy Prime Minister Guidance, Housing Health and Safety Risk Assessment System, Practitioners and Enforcement Version 2.
- RMBC, Housing Strategy 2010.
- RMBC, General Enforcement Policy.
- 2011-14 Housing Strategy 'Building Better Homes and Lives'.
- Consultation with Legal & Democratic Services.

Contact Name : *Chris Stone, Community Protection Manager,*
chris.stone@rotherham.gov.uk

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Cabinet
2.	Date:	8th June, 2011
3.	Title:	Moorgate Cemetery Lodge, Workshops and Garages
4.	Directorate:	Environment and Development Services Neighbourhoods and Adult Services

5. Summary

22 Boston Castle Grove is a vacant three bedroom cemetery lodge located in the Moorgate area.

The property was previously utilised as tied tenancy accommodation for the cemetery caretaker and was vacated in September 2009 upon the externalisation of the Cemetery and Crematorium service to Dignity Funerals Limited.

Dignity have confirmed that they do not require accommodation for an on site caretaker therefore options are currently being explored for its future use.

The cemetery workshops and garages are located to the rear of the property and are under utilised.

This report proposes the sale of the lodge, workshops and garages to enable a significant capital receipt to be generated and cost savings in relation to the ongoing maintenance and running costs.

6. Recommendations

That Cabinet:

- **Approves Option 4- Open Market Sale of 22 Boston Castle Grove, Moorgate Cemetery Workshops and Garages**

7. Proposals and Details

22 Boston Castle Grove is situated within a grade two conservation area in the affluent area of Moorgate. All houses within the area are privately owned with the exception of the property identified within the report. A location map is attached as **Appendix 1**.

The building is a two storey stone built detached house constructed in the 1840's with a number of architectural features.

The general condition of the property is good however if the Council were to retain the property, it would require decent homes works including kitchen, bathroom, windows and doors.

Retention of the property would also present a management issue as the Council do not own any other houses within the Moorgate area. Its dispersed nature presents a comparatively higher management cost.

The property has a very small courtyard with no garden area and is therefore limited in terms of its amenity space. However there are underused Council owned workshops to the rear of the property which could be included in the sale. They are of a poor visual appearance and add very little aesthetically to the wider conservation area. The buildings consist of workshops with a communal area, kitchen and toilets and two garages accessed from Boston Castle Grove.

They are in a poor condition and require investment to repair a damaged external wall and flat roof which present a potential health and safety issue.

The Council are responsible for the maintenance and running costs of the workshops.

They are currently utilised for four hours during one day per week by the Community Payback Scheme to enable ad-hoc jobs to be undertaken within the cemetery.

The Community Payback Scheme would not be able to operate within the cemetery if they are unable to access the workshops as they require access to welfare facilities.

However, the Council do not benefit from any cost savings from the work undertaken by the scheme as Dignity are responsible for the maintenance of the cemetery. Therefore, Dignity are saving money whilst the Council are paying for the ongoing costs relating to the building.

It is recommended that the workshops and adjoining garages are included in the sale of the property to enable the potential purchaser to demolish the buildings and extend their garden area.

This would make it a more appealing asset with an increased value that would enhance the character of the wider conservation area. Furthermore, the garages accessed off Boston Castle Grove could be retained by the property owner and used as off-street parking in an area where there is no alternative provision.

Sale of the buildings would also relieve the Council from the ongoing running and maintenance costs.

Photos of the lodge, workshops and garages are attached as **Appendix 2**.

7.1 Option Appraisal

A number of options have been considered for the future use of the property as detailed below:

7.1.1 Option 1- Retain and re-let as a Council property

The property would be transferred to the HRA General Housing Portfolio and works would be undertaken to the decent homes standard to enable it to be re-let. The Council would continue to benefit from the asset value and the annual rental income generated.

However, the Council do not own any other properties within the Moorgate area therefore it would create a higher management cost.

An assessment has been undertaken of repair needs to bring the properties to the Decent Homes standard which totals £13,750 approximately.

The cost of investment falls below the investment threshold for individual properties which is currently set at £20,000.

A report itemising the full repair needs and cost breakdown is attached as **Appendix 3**.

The workshops would also be retained and continue to function with poor usage as a base for the community pay back scheme. We would need to identify funding to undertake repairs within the building and support the ongoing running costs. The Council would retain full liability for the workshops as the community pay back scheme are not willing to lease them.

We would also undertake repairs to the garages to enable them to be let to residents within the area. We would need to replace damaged garage doors and external walls prior to letting them. It is anticipated that the garages would generate approximately £485 per annum income. However, the garages would also present a management issue as the Council do not own any other garages within the Moorgate area.

This option is not recommended.

7.1.2 Option 2- Sale to a Registered Provider

This option would transfer the property, workshops and garages to a Registered Provider (Registered Provider is the new name for Registered Social Landlord's). The property would be sold on the basis that it is renovated and re-let as an affordable home, with the cost being borne by the Registered Provider. The Council would also retain nomination rights for the properties.

However the RP would benefit from the property asset value and the future net rental income stream. In addition, it is anticipated that a sale to a RP would be at less than

market value. The value of any sale discount would probably not compare favourably with the cost of retention and investment detailed in Option 1.

This option is not recommended.

7.1.3 Option 3 - Open Market Sale of 22 Boston Castle Grove and retention of garages and workshops

Disposal on the open market would generate a much needed capital receipt to the Council and transfer liabilities for improvement to the new owner. We are confident that it would be sold quickly as the Land and Property Team have received a number of enquiries regarding its future sale.

The property has been valued at £150,000.

This option would relieve the Council from the ongoing maintenance and management costs in relation to the lodge. However, we would still be responsible for the workshops and garages which are in need of repair.

The Community Payback Scheme would continue to utilise the workshops and we would let the adjoining garages to residents within the area.

This option is not recommended.

7.1.4 Option 4- Open Market Sale of 22 Boston Castle Grove, Cemetery Workshops and Garages

Disposal on the open market would generate a much needed capital receipt to the Council and transfer liabilities for improvement to the new owner. We are confident that it would be sold quickly as the Land and Property Team have received a number of enquiries regarding its future sale.

The Cemetery Lodge would be sold together with the adjacent workshops and garages to increase the value of the property and marketability of the asset.

The property and adjacent workshops and garages have been valued at approximately £190,000.

This option would relieve the Council from the ongoing running, maintenance and management costs in relation to the lodge, workshops and garages.

This option is recommended.

7.2 Consultation

7.2.1 Ward Members

The properties are situated within Ward 2 Boston Castle. The Ward Members have been consulted about the options.

Councillor Wootton is supportive of the sale of the Lodge and garages however he strongly objects to the sale of the workshops due to the impact on the Community payback scheme within the cemetery.

Councillor Hussain has no objections to the sale of the workshops, lodge and garages.

No response has been received from Councillor McNeely.

7.2.2 Friends of Boston Castle and Moorgate Cemetery

The Friends of Boston Castle and Moorgate Cemetery have also been consulted and they are supportive of the sale of the Lodge and garages.

However they strongly object to the sale of the workshops due to the loss of the community payback scheme within the cemetery.

We have also investigated other alternative premises within the area to enable the Community payback scheme to continue operation.

Renovation works to Boston Castle will commence shortly however due to the proposed use of the building as a museum and the scheduled completion in April 2013 it is not considered suitable for use for the community payback scheme.

The group have also been offered use of the cemetery chapel however it is in a poor state of repair and would require major investment to enable it to be utilised. Therefore they were not willing to consider this option.

A formal objection letter is attached as **Appendix 4**.

7.2.3 Rotherham Family History Society

The Rotherham Family History Society have objected to the sale of the cemetery workshops, again due to the impact that this will have on the work of the Community Payback Service. An objection letter is attached as **Appendix 5**.

7.3 Recommendation

It is recommended that the lodge, workshops and garages are sold together on the open market as detailed in Option 4. This option would generate a significant capital receipt to support the corporate programme and relieve the Council from ongoing maintenance and running costs. It would also increase the marketability and value of the lodge.

8. Finance

If the property is retained, we would need to identify funding to undertake works to enable it to be re-let. The property is not currently accounted for within the Decent Homes programme and the budget is fully committed. The £13,750 funding requirement to support Decent Homes investment in this property is not available within the One Off Properties Budget 2010/11. Therefore, we would have to wait until 2011/12 for funding to become available to undertake works.

As the property is not currently within the HRA housing portfolio managed by 2010 Ltd, it would be subject to an additional annual management fee and maintenance cost.

As the properties are classified as general fund, the sale would generate an approximate £190,000 capital receipt to support the corporate capital programme.

If the workshops are retained then we would need to identify funding from the cemeteries budget to enable significant repairs to be undertaken. Currently, there is no money within the budget to support this work.

9. Risks and Uncertainties

At a time of fiscal constraint and growing pressures upon capital investment budgets, the effective management of empty homes is paramount, in both financial and service delivery terms.

The presence of empty homes produce a negative perception of neighbourhoods and a negative reaction from customers.

The recovery in the housing market is still fragile and there is no guarantee of a successful sale, should properties be presented to the market for disposal. However, the recent successful disposal of similar properties by the Council, such as 28 Nelson Street, Clifton, suggest an active market interest in acquiring such properties for investment and the property is in an exclusive well sought after area.

If the properties are retained then we would need to identify funding to undertake urgent works to prevent health and safety risks.

There is no funding within the cemeteries budget to support approximately £10,000 repairs which are required within the workshops and garages if they are retained.

10. Policy and Performance Agenda Implications

Timely decision making with regard to investment in empty homes will contribute towards empty homes performance indicators, void rent loss performance and support increasing demand.

This proposal is making effective use of assets and managing them to best effect. It contributes to the sustainable neighbourhood's agenda by addressing identified housing issues.

The proposal contributes towards our key corporate strategic themes of:-

- Rotherham Proud
- Rotherham Safe
- Rotherham Alive
- Fairness
- Sustainable Development

These key themes are reflected within the Individual Well-being and Healthy Communities outcome framework, as follows:

- Improved Quality of Life – by creating opportunities for an improved quality of life, by dealing with empty homes and stimulating investment in the built environment (Objective 6)

- Economic well-being – providing affordable high quality housing options, to meet identified needs and create sustainable neighbourhoods
- Safe – by creating neighbourhoods that are safe, clean, green and well maintained with well-designed, good quality homes and access to local facilities.

The key investment themes within the LIP are:-

- New homes – supporting delivery of housing opportunities in the Borough to meet current and future needs and aspirations.
- Economic recovery – delivering investment activity which supports the recovery and stimulates local economic growth, sustaining businesses and jobs and training opportunities.
- Renewal – continuing the transformation of the Borough.
- Sustainable communities – ensuring that our communities are safe and healthy and benefit from the range of essential services and provision that they need.

These key investment themes align with the Councils Corporate Priorities of:-

- Making sure that no community is left behind.
- Helping to create safe and healthy communities.
- Ensuring care and protection are available for those people who need it most.
- Providing quality education, ensuring people have the opportunity to improve their skills, learn and get a job.
- Improving the environment.

11. Background Papers and Consultation

Valuation advice has been received from the Land and Property Team, Asset Management.

- Cabinet Member for Housing and Neighbourhoods, 15.2.10, Minute No: J138.

Contact Name: Lynsey Skidmore, Property Investment Officer, Facilities Management, Asset Management, Environment and Development Services.
Email: lynsey.skidmore@rotherham.gov.uk or Telephone: ext 34950

Alan Pogorzelec, Business Regulation Manager, Housing and Neighbourhood Services, Neighbourhood and Adult Services.
Email: alan.pogorzelec@rotherham.gov.uk or Telephone: ext 54955

Moorgate Cemetery Lodge, Workshops and Garages



Appendix 2- Lodge



Appendix 2- Workshops and Garages



RMBC SURVEY SHEET	

UPRN		Address	22 Boston Castle Grove.
Contact Name	Ian Smith	Contact No.	334967
Requested By	Alan Pogorzelec	Date Requested	
Surveyor	Ian Smith	Survey Date	18 th December 2009

Year Built	1775 - 1800	Central Heating	Yes. Alpha CD28X Combi-Boiler
Property Area	Moorgate	No. Fireplaces	1 Electric and 1 gas
Bedrooms	2	Build Type	Stone
Bathrooms	Gd Floor Bathroom + 1 st Floor W.C.	Roof Material	Slate
Total Rooms	3 x liv-rooms, kitchen, D. stairs bathroom, 1 st floor W.C., 2 x 1 st floor bedrooms	Floor Material	Solid / Suspended timber
No. Storeys	2	Filled Cavity	N/a. Solid Wall
Parking Type	Off road parking at side of property	Fails Decency	Yes.

Property Description	2 bedroom stone built detached property. It overlooks the cemetery to the rear. The internal of the property is in fairly good condition. The kitchen is need of replacement. A new "A" rated condensing boiler was fitted in 2008. The existing windows (12) are single glazed p.v.c.u. with external beading and do not meet secure by design standard. The bathroom suite is in need of replacement to the ground floor and the w.c to the 1 st floor needs replacement.
Description of Location	Suburban.
Map of area	N.a
Nature of survey request	The request received from Alan Pogorzelec was to provide budget costs to bring the property up to decency standards.
Condition of Property	The property is in a good state of repair.
Survey findings	<p>External –</p> <p>Replacement doors and windows are required to meet the Rotherham Standard.</p> <p>The general condition of the property is good and no immediate repairs are required at this time although the ridge details are showing signs of disrepair and work to these areas will be required.</p> <p>The fascia boards to the kitchen extension will require renewing</p> <p>The outbuilding is in very poor condition and needs to be looked at separately with a number of options which could be explored</p>

RMBC SURVEY SHEET	
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	<p>Internal-</p> <p>The property is in a good state of repair internally. The kitchen would require replacement to bring it up to decency. The bathroom and w.c. room is in need of replacing</p>								
Options to be considered	<p>Decency Works</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Replace windows and doors</td> <td style="text-align: right;">£4,000.00</td> </tr> <tr> <td>Renew kitchen.</td> <td style="text-align: right;">£3,000.00</td> </tr> <tr> <td>Renew bathroom suite to ground floor and WC to 1st floor.</td> <td style="text-align: right;">£2000.00</td> </tr> <tr> <td>Fit Thermostatic radiator valves to hall, 2 x Liv-Rooms, 1st floor W.C. and 1 x bedroom</td> <td style="text-align: right;">£250.00</td> </tr> </table> <p>-----</p> <p>Void Work</p> <p>Fit folding door to first floor W.C. Renew internal door handle and catch to b.bedroom Safety check to liv-room gas fire Renew light fitting to bathroom Carry out concrete repair to rear living room floor Remove light fitting to living room and renew with pendant Pointing to ridge tiles 6 metres.(inc scaffold) Loft insulation can be carried out by our team on grant aided work Fascia board and associated works to kitchen extension</p> <p>Approx £2,000.00</p>	Replace windows and doors	£4,000.00	Renew kitchen.	£3,000.00	Renew bathroom suite to ground floor and WC to 1 st floor.	£2000.00	Fit Thermostatic radiator valves to hall, 2 x Liv-Rooms, 1 st floor W.C. and 1 x bedroom	£250.00
Replace windows and doors	£4,000.00								
Renew kitchen.	£3,000.00								
Renew bathroom suite to ground floor and WC to 1 st floor.	£2000.00								
Fit Thermostatic radiator valves to hall, 2 x Liv-Rooms, 1 st floor W.C. and 1 x bedroom	£250.00								
Recommendation	As above.								
Estimation of costs	Decency £9,250.00 Void Work £2,000.00								
Other Comments	<p>An electrical test should be carried out to determine the condition of the existing board and electrics. (Rewire £2,000.00 if required)</p> <p>An asbestos survey should be carried out.</p> <p>A safety check to the existing gas fire in the front living room</p> <p>Total £500.00</p> <p>(Rewire £2,000.00 if required)</p> <p>Pre-lims and management fees for 2010 Ltd need to be added if works are to be carried out. (10% pre-lims and 7.5% management fees)</p>								

RMBC SURVEY SHEET

The property has a current Standard Assessment Procedure (SAP) of 51 which is well above SAP 35 which is recognised as a property in fuel poverty. The property is stone built as gives little options for improvements however double glazing and loft insulation along with thermostatic radiator valves, low energy lighting will give a SAP of 58.

Property Photographs





**1 WOODFIELD VILLAS
BOSTON CASTLE GROVE
MOORGATE
ROTHERHAM
S60 2BB**

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www.fobcap.org.uk www.moorgatecemetery.org.uk

10th March 2011

Councillor Jahangir Akhtar

Rotherham MBC

Dear Cllr Akhtar

Moorgate Cemetery Offices and Workshops

In advance of the Cabinet meeting which will include making a decision on the sale of the workshops and old offices in Moorgate Cemetery, I am writing on behalf of the Committee to express our disappointment at the Council's nearsighted approach.

The Friends Group was formed in 2002 to work alongside the council to improve the facilities and environment in Boston Park and Moorgate Cemetery, which at the suggestions of English Heritage could form a heritage trail around both historically important sites.

With regard to Moorgate Cemetery, we initially formed a partnership with the Probation Service and implemented a work plan for them, the first one of which was rebuilding part of the cemetery wall between Moorgate Cemetery and Boston Park.

In order for things to progress in this respect, we had to supply the probation service with a facility whereby they could have the use of a toilet and a refreshment break.

As the workshop/office were in a very poor state of repair, I wrote to a number of window companies and Mike Yarlett, MD of Yorkshire Windows very kindly provided us with all the windows and doors necessary to make the building safe and secure and the probation service duly installed these.

The Council paid for the necessary work on the roof and the probation service tiled the floor and painted and decorated the building internally.

PATRON: LORD D P M A HOWARD

CHAIR ANDREW EMERY : SECRETARY JANET R WORRALL : TREASURER - KEITH GRAVIL

Since that time, the probation service has carried out further work on the boundary wall and also cleared encroaching ivy and cleaned and made safe the footpaths and a firm relationship between the Council, the Friends Group and the Probation Service has been established.

Whilst I do appreciate these are austere times, I think that the Council is taking a short term view of things. The Council's policy is now about asking Groups to take more responsibility for themselves, however historically Groups like ours have been doing exactly that for a number of years.

For your information the Council used the work of the probation service as match funding in last year's aborted Boston Castle HLF bid.

The probation service rates are:

The minimum wage per hour for estimates on the work done by offenders, is around £6 per hour .

Therefore, if there were 6 offenders per group and they would do 7 1/2 hours per day each, this would work out at around £270 per day.

Plus the supervisors time which would be £15 per hour so another £112.50

So, equivalent of £382.50 worth of value in labour terms for each working day

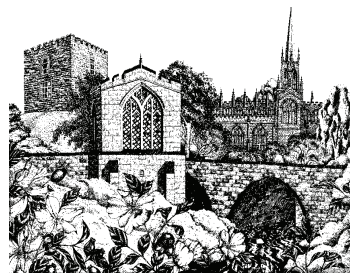
Whilst I do not expect the outcome of this appeal will prove positive, in view of all the hard work which we have provided on behalf of the Council and also Dignity, I felt that those who make decisions of this kind should be made aware of the circumstances and events in terms of effort and time by volunteers, necessitating this letter of appeal, which should not be dismissed by the Cabinet without due consideration.

Yours sincerely

Janet Worrall

Secretary Friend of Boston Castle and Parklands
and Moorgate Cemetery

ROTHERHAM FAMILY HISTORY SOCIETY



FAO Alan Porgozelec
Business Regulation Manager
Neighbourhoods & Adult Services
Rotherham MBC

Ian Marson
5 Byron Road
Maltby
Rotherham
S66 7LR
Email: chair@rotherhamfhs.co.uk

REF: Proposed Sale of RMBC Assets at Moorgate Cemetery

7th March 2011

Dear Sir

On behalf of the committee and membership of Rotherham Family History Society I would like our objection to the sale of the workshops at Moorgate Cemetery to be noted.

We object to a situation that would, potentially, prevent unpaid organisations doing work at this and other cemeteries in the Rotherham area.

We object to what we perceive to be the neglect of the cemeteries, with the exception of East Herringthorpe, directly under the control of RMBC and their approved contractors.

Yours Faithfully

Ian F Marson

Ian F. Marson
Chairman

UK Registered Charity Number 1113670
General correspondence address
The Secretary, 36 Warren Hill, Rotherham, S61 3SX

www.rotherhamfhs.co.uk

ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET
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1.	Meeting:	Cabinet
2.	Date:	8th June 2011
3.	Title:	Asset Transfer Proposal for Rotherham Adventure Playground
4.	Directorate:	Environment and Development Services

5. Summary

This report proposes the transfer of the Rotherham Adventure Playground asset to YMCA White Rose in order to secure the long term sustainability of the facility and remove future budget pressures.

6. Recommendations

1) That the Rotherham Adventure Playground is legally transferred to the YMCA White Rose and that appropriate covenants are put in place to ensure the continued delivery of play at the facility or the return of the asset at no cost to the authority.

2) That an exemption is made to the general decision to defer all transfers because of the risk that the Council would lose the opportunity and indeed the facility if it were not to take place.

7. Proposals and Details

Construction of the Rotherham adventure playground situated at Erskine Road, Eastwood was completed in April 2010 and it opened for play in June 2010. It replaced a derelict football changing facility which had been closed for a number of years. It is currently run by Streetpride: Leisure and Green Spaces. The facility was funded through the Department for Children, Schools and Families' Play Pathfinder programme. Capital funding closed at 31st March 2010. Revenue funding ran until 31st March 2011. The facility is currently funded in house but this is not sustainable and is a liability while it remains with the authority. A funding application for the facility is currently being considered by the Big Lottery Fund. This will be determined at their June Board meeting.

The adventure playground engages the local mixed ethnicity population of children and young people, providing opportunities for quality play, but it is also reducing anti-social behaviour by that age group in the community.

If a transfer of the capital asset is made to the voluntary sector this will create the opportunity for the adventure playground to become sustainable and prevent future Council budgetary pressures. There is a requirement to publicise any proposed disposal and consider objections if they arise. The board of YMCA White Rose (formerly Chantry YMCA) is keen to take on the facility if the asset can be transferred to them. It will be necessary to have covenants in place that ensure that the facility continues to be used for the purposes that it has been created and that if the YMCA defaults on this clause, then the facility will be returned to the council at zero cost (other than associated legal costs). The YMCA has advised that they will work to raise sufficient grant against the capital asset to run the facility sustainably. The YMCA has indicated that it is not willing to take on the facility on a lease arrangement even if it were to be on a long term lease of 99 years. The facility would have a synergy with the myplace facility on St Anne's roundabout which is currently under development and which is also run by the YMCA.

The stage II application to the Big Lottery Fund's Reaching Communities programme is not guaranteed to be successful. If it is successful, it provides funding for two years. The success of this bid cannot be counted on and movement towards a transfer is needed as soon as possible as time is required for the legal and other associated work to be completed.

8. Finance

Reasonable in house costs for legal and valuation work will be met by the YMCA.

9. Risks and Uncertainties

Until the asset is transferred to the YMCA there is uncertainty about the future of the adventure playground and it remains a potential budget pressure for the Council. The responsibility to deliver the facility transfers with the asset to the YMCA which undertakes to deliver it beyond the transfer date. In the event that the YMCA defaults on this commitment then the facility reverts into Council ownership at zero cost to the authority.

10. Policy and Performance Agenda Implications

In order to achieve the financial sustainability of the Rotherham Adventure Playground, the YMCA has requested that the Council gifts the asset to them (with protective covenants in place). Current Council disposal policy does not deal effectively with the transfer of assets at less than best consideration.

The YMCA Board has indicated that a lease arrangement would not be acceptable. Agreeing an exception to normal policy will prevent missing the opportunity to transfer the asset.

11. Background Papers and Consultation

Play Pathfinder Project Board - 13th December 2010

Cabinet Member, Culture, Lifestyle, Sport and Tourism – 8th February 2011

CSART - 1st March 2011

Dawn Roebuck – Financial Service

Richard Waller – Legal Services

Contact Name : Nick Barnes, Principal Project Development Officer, x22882

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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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	Meeting:	Cabinet
	Date:	9 June 2011
	Title:	Leases of Millmoor Stadium
	Directorate:	Environment and Development Services – Planning and Regeneration (RIDO)

Summary

The purpose of this report is to seek authority to negotiate and conclude leases of Millmoor Stadium.

Freedom of Information Act: Exemption under Paragraph 3 (which refers to information relating to the financial or business affairs of any particular person (including the authority holding that information) of Part 1 of Schedule 12A of the Local Government Act 1972 is requested as this report contains commercially sensitive details.

It is considered that the public interest in maintaining these exceptions outweighs the public interest in waiving the exemptions, as the proposed transaction is commercially sensitive and the Council's position could be prejudiced by disclosure of the information.

Recommendations

6.1 – To authorise the Strategic Director of Environment & Development Services to negotiate and conclude leases of Millmoor Stadium.

7.1 Background

The Town Centre Renaissance Strategy is to create beneficial developments and activities in and around the Guest & Chrimes site. Riverside House is a tangible example of the Council investing to initiate that strategy, together with the proposals to create a new Community Stadium alongside.

An opportunity has now arisen to add a third component to the strategy, namely for the Council to take a lease of the Millmoor site (including car parking). This will enable Rotherham Rugby Union Football Club ("RRUFC") to take an underlease of the stadium, leaving the car parking area within the Council.

This has obvious benefits in relation to the sporting offer in Rotherham whether as a spectator or senior or junior player and, in addition, improves the Council's car parking provisions which will, in turn, benefit the town centre as a whole.

8. Finance

The Strategic Director of EDS will negotiate appropriate terms and conditions. It is envisaged that RRUFC will make the majority contribution to the rental liability and that the Council ameliorate its costs through car parking charges and other arrangements.

9. Risks and Uncertainties

Financial risks are to be mitigated through complementary annual break clauses in both the lease and underlease which will form part of the documentation.

10. Policy and Performance Agenda Implications

This proposal helps to fulfil the Council's and the former Town Team's strategy for the long term development of Rotherham.

11. Background Papers and Consultation

As the Report requests a decision in principle there are no background papers at this time.

Contact Name : Ian Smith and Karl Battersby. Contact telephone numbers: 01709 823850 and 01709 82380

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Cabinet
2.	Date:	8th June, 2011
3.	Title:	Long Term Loan Finance in support of Rotherham United Football Club new Community Stadium
4.	Directorate:	Financial Services

5. Summary

To consider a formal request of Rotherham United Football Club (RUFCl) for a £5m long term capital finance loan from the Council to assist the Club in delivering a new £17.3m Community Stadium in the Town Centre, on the former Guest and Chrimes Foundry Site.

6. Recommendation

Cabinet is asked to approve the provision of a capital loan facility of £5m to RUFCl for the proposed investment in provision of a new Community Stadium on the former Guest and Chrimes Foundry Site in the Town Centre subject to the terms and conditions of the loan agreement being to the satisfaction of the Strategic Director of Finance and Assistant Chief Executive (Legal and Democratic) Services.

7. Proposals and Details

In 2008, RUFC Limited (the old company) was placed into administration. The new company, RUFC Limited, agreed to acquire certain assets and liabilities of the Old Company and made an application for membership of The Football League on the basis that it was permitted to play its home matches at the Don Valley Stadium in Sheffield on a temporary basis. The Football League granted membership to the Club subject to various conditions, in particular that by the commencement of Season 2012/13 the Club were able to complete its home fixtures in a stadium, complying with Football League Regulations, within the Borough of Rotherham.

The Council has been working closely with the Club over the past 18 months to ensure that the membership conditions can be met and the potential regeneration opportunities that a new community stadium would provide the Town can be realised.

Recently, the Club announced its intention to develop a community stadium on the former Guest and Chrimes Foundry Site, adjacent to the new Council Civic Building. The new community stadium will provide a legacy for the future not just for the Football Club, but also for the Town. It will have a 12,000 seated capacity in a stadium bowl design that will incorporate over two floors banqueting, exhibition and office facilities. It will also play a powerful role in the whole community regeneration providing a physical base for community activity, health promotion, partnership working and education, training and employment development.

To support and facilitate the start of this regeneration development and the initial construction works (planned to be on site July 2011) the Council is working with the RUFC to provide a £5m capital loan facility as part of a package of public and private sector financing for the proposed £17.3m stadium. To date, including the proposed £5m Council loan, the Club have identified funding of £15m, leaving a potential financing shortfall of £2.3m. The other identified funding is made up of £3.3m ERDF grant and £6.7m private investment. The Club have been asked to provide evidence to confirm that these funding sources are in place and secure.

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

Council officers are working with the Club to explore various options for the security of the loan provided to RUFC. It is proposed that this will be in the form of a Legal Charge over property assets held by businesses owned by the Club's Chairman, A.R Stewart, registered with the Land Registry.

The Council, in accepting any assets as security, will obtain independent valuations so as to gain sufficient assurance that Council funds are fully secured in the event of any future repayment risks.

The repayment of the loan (principal and interest), including the cost of administration and management, will be fully met by the Club when it becomes due over 5 years.

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

8. Finance

The Council will be making a £5m long term loan to RUFC on a Maturity basis. The Club will be required to make six monthly repayments that will equate to the annual revenue cost of servicing the loan. At the end of the 5 year loan term, the Club will be required to repay the balance of the principal outstanding. The interest rate charged will be determined by the date the loan facility is drawn down by the Club as it will reflect the Maturity PWLB rate at that time, including relevant Arrangement, Management and Administration fees incurred by the Council. The Club is currently anticipating that it will need to draw down the loan funding in June 2011.

The provision of this capital loan facility **does not** have any unplanned revenue consequences for the Council's Annual (2011/12) and Medium Term Financial Strategy 2011-15.

9. Risks and Uncertainties

There is always the possibility of not recovering the monies if RUFC becomes unable to repay the monies. Reference has been to RUFC's and ASD Lighting Plcs accounts to establish the level of risk.

In order to protect the Council's interest, the Council is looking to secure its financial commitment in the form of a legal charge over assets owned by ASD Lighting PLC and in an associated pension fund. ASD is a well established, profitable, cash rich business with no long term liabilities.

10. Policy and Performance Agenda Implications

RUFC and the provision of a new community stadium is a unique opportunity to facilitate a major regeneration activity on a derelict site in the Town Centre, that positively contributes to Rotherham's Renaissance. It will also help provide a centre for community regeneration, partnership working, health promotion and education, training and employment development.

11. Background Papers and Consultation

Consultation with:

- the Council's Chief Executive and Strategic Directors of Finance and Environment and Development Services and Assistant Chief Executive (Legal and Democratic Services)
- Karen Thomas – ASD Lighting PLC Financial Director

Contact Name : **Andrew Bedford – Strategic Director of Finance**
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