

**THE CABINET**  
**21st September, 2011**

Present:- Councillor Stone (in the Chair); Councillors Akhtar, Doyle, Hussain, Lakin, McNeely, R. S. Russell, Smith, Whelbourn and Wyatt.

Also in attendance Councillor Whelbourn (Chairman of the Overview and Scrutiny Management Board)

An apology for absence was received from Councillor Rushforth.

**C68            QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

**C69            ROTHERHAM COMMUNITY STRATEGY (2011-2014)**

Councillor Hussain, Cabinet Member for Community Development, Equalities and Young People's Issues, introduced a report by the Chief Executive, which provided an overview of work undertaken by the Rotherham Partnership to prepare for Rotherham's third, three-year Community Strategy due for publication this year and also provided details of the process employed to develop the strategy and progress to date.

The report set out in more detail information about the:-

- Partnership,
- Community Strategy.
- Partnership Review.
- Development of the Community Strategy 2011/2014.
- Process and Progress.
- Delivery.

Three broad priorities and associated draft objectives would form the core of the published strategy and plan and were:-

- Priority 1: Ensuring the best start in life for children and families.
- Priority 2: Providing additional support to vulnerable people in our communities.
- Priority 3: Supporting the growth of a sustainable and competitive local economy (led by the new Economy Board).

There were no direct financial implications currently identified, although some were likely to emerge as task and finish group's progress activities. These would be considered by the Partnership Board/Chief Executive Officers' Group/relevant agencies as appropriate when they emerged. It was also possible that collaboration in some areas identified in the draft plan may lead to financial savings for partners, including the Council.

However, it has been estimated that over 70% of the 'old' partnership infrastructure had been removed, mainly through the dissolution of the theme boards, which has resulted in cashable savings of over £52,750 p.a. approx and non cashable savings estimated at - £42,715 p.a. approx

There were risks associated with ensuring that the necessary understanding, buy in and commitment from partners existed, in order to ensure that the strategy and plan were successfully implemented. The transparent and consultative approach employed to produce the strategy aimed to ensure a sense of shared ownership of the document and responsibility for leading and contributing to its delivery.

Resolved:- (1) That the three strategic priorities for the Community Strategy recommended by the Chief Executive Officers' Group and agreed by the Rotherham Partnership Board be recommended for adoption by the full Council.

(2) That the contents of the report be noted and the proposed next steps be approved.

## **C70 ROTHERHAM ENVIRONMENT AND CLIMATE CHANGE STRATEGY AND ACTION PLAN**

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Environment and Development Services, which detailed how Rotherham Council, as the lead organisation, had developed an Environment and Climate Change Strategy and Action Plan in consultation with Local Strategic Partners.

The development of this Strategy had been led by the Sustainability Partnership and supported by the Council's Sustainable Development Officers Group. It was proposed that the Sustainability Partnership would take responsibility for the ongoing monitoring of delivery within the partnership and the Sustainable Development Officers Group would performance manage the strategy from a Council delivery perspective. The report was sanctioned by the Sustainability Partnership on 20th July, 2011.

The Environment and Climate Change Strategy and Action Plan would set the direction for managing, combating and preparing for climate change across Rotherham. It not only considered the challenges associated with climate change, but also the opportunities it presented. Following consultation and researching best practice from other areas, 10 key areas of action have been identified:-

- Strategic Planning and Policy.
- Built and Natural Environment.
- Emergency Planning and Recovery, Social Care and Health.
- Energy and Water.
- Engagement, Education and Awareness Raising.
- Housing.
- Procurement and Resources.
- Regeneration and Business.
- Transport.
- Waste and Recycling.

There was no cost directly associated with the development of this Strategy. However, as climate change continued to climb the agenda of Central Government, more resources would be required in the future to deal effectively with new duties and responsibilities expected to be given to Local Authorities. There were also opportunities to adopt sustainable procurement practices and construction methods, reduce resource use, reduce transport and save money.

The main risk and uncertainty was ensuring that Rotherham Council and Rotherham Partnership worked jointly to continue to improve environmental performance and meet increasingly strict Government targets.

Cabinet Members welcomed the report and noted that the use of alternative technologies was included within the plan, but suggested that, due to its cross cutting themes, this Strategy and Action Plan be considered by Rotherham Partnership.

Resolved:- (1) That the Environment and Climate Change Strategy and Action Plan be approved.

(2) That Rotherham Partnership receive regular updates on the progress with the Strategy and Action Plan.

## **C71 RMBC CUSTOMER ACCESS STRATEGY 2011 - 2015**

Councillor Akhtar, Deputy Leader, introduced a report by the Chief Executive, which introduced the refreshed Customer Access Strategy, which had been updated to cover the period 2011 – 2015.

The Council adopted its first Customer Access Strategy in 2005 and continued to regularly review and refresh the document to ensure the strategy remained current and appropriate.

The latest refresh of the Customer Access Strategy had been developed in line with the Council's refreshed ICT Strategy, to ensure that there was a co-ordinated and strategic approach to delivery.

Implementation of the Strategy has been built around four key themes and referred to the Council's proposed model for customer service delivery which was based around functional groups rather than around individual service lines. This approach was approved by Cabinet in August, 2010.

Delivery of significant elements of this strategy would be supported by the refreshed ICT Capital Programme, service delivery budgets, Central Government grants and other external funding sources.

Individual business cases which demonstrated improved service delivery and reduced costs would be developed to support any financial investments required in delivery of the Customer Access Strategy.

Delivery of the Customer Access Strategy was a critical element in ensuring the Council transformed its services for the benefit of customers, businesses, members and staff in order to improve the customer experience and deliver customer service excellence.

Cabinet Members welcomed the report and asked that information be disseminated amongst Members.

Resolved:- (1) That the Council's current position and the achievements which have been achieved following implementation of the Customer Access Strategy 2008 - 2011 be approved.

(2) That the refreshed Customer Access Strategy, which has been updated to cover the period 2011 - 2015 be approved.

## C72

### DISCRETIONARY HOME TO SCHOOL TRANSPORT PROVISION

Councillor Smith, Cabinet Member for Town Centres, Economic Growth and Prosperity, introduced a report by the Strategic Director of Environment and Development Services, which set out the current "Transport Policy for Children and Young People" and contained both statutory and discretionary provisions. This report outlined the current provision and identified potential budgetary savings which could be made by the discontinuation of the discretionary transport provision.

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

- Overall Policy.
- Client Groups Affected.
- Statutory Obligations.
- Discretionary Services Proposed to be Discontinued/Amended.

In terms of the transport for children aged under 5 the total potential financial saving of discontinuing provision of all transport assistance for children under 5 was estimated to be £40,000 p.a.

In terms of the Discretionary Denominational Transport the initial savings would commence 2013/14 financial year anticipated to be £20,100 increasing annually thereafter at a rate governed by the cost of concessionary fares.

There were no financial implications for the removal of the Post 16 Education Transport Policy from the Transport Policy for Children and Young People or renaming it to the Home to School Transport Policy.

Cabinet Members were mindful of the need to look at the current provision and to ensure that a full consultation exercise with all stakeholders takes place.

Resolved:- (1) That consultation take place on the proposals:-

- That the current provision of discretionary free transport to children less than five years old be discontinued from September, 2012
- That the current provision of discretionary free transport for primary and secondary learners attending denominational schools be discontinued commencing September, 2013

- That the Post 16 Education Transport Policy be deleted from the overall Transport Policy for Children and Young People from September, 2012.
- That the new Transport Policy for Children and Young People be renamed the Home to School Transport Policy from September, 2012
- That a new Post 16 Education Transport Policy be published separately by the Council by 31st May, 2012.

(2) That the remaining statutory obligations continue to be met.

(3) That this report be submitted to the Improving Lives Select Commission for consideration as part of the consultation process.

### **C73 LOCALISING SUPPORT FOR COUNCIL TAX - CONSULTATION RESPONSE**

Councillor Akhtar, Deputy Leader, introduced a report by the Chief Executive, which detailed that as part of the Government's reform of welfare the Council Tax Benefit would be abolished and be replaced with new local schemes for support for Council Tax, together with a 10% cut in funding. The Government was now consulting on the new arrangements.

The report now sought views on the full recommended response from the Council to the Government's consultation and a brief overview of the key elements of a framework for local support for council tax was provided.

There would be financial implications and risks associated with the Government's proposals. These have been included in the answers to the appropriate questions in the recommended response and an assessment made of some of the implications.

Resolved:- That Council's recommended response to the consultation as set out in the appendix to this report, taking account of any comments expressed by the Overview and Scrutiny Management Board at their meeting on 23rd September, 2011 be approved.

### **C74 EQUALITY ANALYSIS**

Councillor Hussain, Cabinet Member for Community Development, Equalities and Young People's Issues, introduced a report by the Chief Executive, which gave an update on the outcome of a Judicial Review case involving Birmingham City Council's Adult Social Care assessment procedures and highlighted the changes made to the Council's Equality Impact Assessment process in light of the case.

The judicial review was lodged by a care user as a result of a decision by Birmingham City Council to fund only the community care needs of people assessed as having "critical" care needs; previously they had provided services to those individuals assessed as having overall "substantial" and "critical" care needs. The case being one of two recent decisions made by the High Court which declared the Council's decision making processes unlawful.

The Court ruled, however, that the cuts themselves were not unlawful, but the process Birmingham Council undertook including consultation, impact assessments and consideration of mitigation must be a lawful process. The Court stated that all public bodies had a duty to follow disability discrimination law even though this could place "significant and onerous" obligations on local authorities. Councils were under an obligation to take account of an individual's disabilities, even where that involved treating that disabled person more favourably than others.

With the strengthening of the Equality Act, 2010 and the implications of the judicial review, revisions have been made to the Council's Equality Impact Assessment process which would now be referred to as 'Equality Analysis' in accordance with the guidance provided by the Equality and Human Rights Commission (EHRC).

There were no direct financial implications arising. There would be a requirement to spend officer time providing briefing sessions on the new form and process and for officers who would be carrying out Equality Analysis to attend these briefing sessions.

The Council was required to meet its obligations under the Equality Act, 2010 and in particular with regards to Equality Analysis.

To reduce the risk to the Council of unnecessary challenge it was important that Managers and staff were briefed on the new form, the change in focus and the process for Equality Analysis.

Cabinet Members were mindful of the need to meet its statutory obligations to avoid any legal challenge.

Resolved:- That the Council's revised approach to conducting equality impact assessments to ensure compliance with EHRC guidance and the findings of recent case law be approved.

## **C75 RMBC PUBLIC HEALTH ANNUAL REPORT**

Councillor Wyatt, Cabinet Member for Health and Wellbeing, introduced a report by the Director of Public Health, which presented the Annual Report which outlined the health needs of the local population. This year's report was based on the Marmot Report (2010) and produced a review of the position in Rotherham against the Marmot themes. The Marmot report was produced as part of the Labour Government's examination of progress in addressing health inequalities. It set out a new approach to tackling health inequalities based on the "life course" approach.

This year's Public Health Annual Report reflected the Marmot chapter themes with the addition of a chapter which horizon scans future issues:-

- Giving every child the best start in life.
- Enable all children, young people and adults to meet their capabilities and have control over their lives.
- Create fair employment and good work for all
- Ensure a healthy standard of living for all.
- Create and develop healthy and sustainable communities.
- Strengthen the role and impact of ill health prevention.
- Identify, monitor and respond to emerging problems.

The Public Health White Paper now before Parliament responded to Sir Michael Marmot's Fair Society, Healthy Lives report and adopted Marmot's life course framework for tackling the wider determinants of health. It proposed to give Local Authorities responsibility for improving public health and addressing health inequalities.

The report identified future health and social care needs of Rotherham. These would allow planners and providers of services to plan accordingly. However, there would be financial implications by the increasing elderly population with complex health needs and people with learning disabilities living longer.

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

(2) That the Marmot principles as a policy framework for developing the Health and Wellbeing Strategy for Rotherham and Rotherham's approach to addressing health inequalities be approved.