

## **CABINET**

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

**Date: Wednesday, 19 October 2011**

**Time: 10.30 a.m.**

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

1. To consider questions from Members of the Public.
2. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
4. Minutes of the previous meeting held on 21st September, 2011 (copy supplied separately)
5. Minutes of a meeting of the Local Development Framework Members' Steering Group held on 16th September, 2011 (herewith) (Pages 1 - 6)
  - Strategic Director of Environment and Development Services to report.
6. Minutes of a meeting of the Members' Training and Development Panel held on 29th September, 2011 (herewith) (Pages 7 - 11)
  - Chief Executive to report.
7. Review of Polling Places 2011 (report herewith) (appendices provided separately) (Pages 12 - 15)
  - Chief Executive to report.
8. Medium Term Financial Strategy and Budget Timetable August 2011- March 2012 (report herewith) (Pages 16 - 22)
  - Strategic Director of Finance to report.
9. Revenue Budget Monitoring for the period ending 30th September, 2011 (report herewith) (Pages 23 - 31)
  - Strategic Director of Finance to report.
10. Corporate Risk Register (report herewith) (Pages 32 - 39)
  - Strategic Director of Finance to report.

11. Draft Response to Government Consultation on the Localisation of Business Rates (report herewith) (Pages 40 - 53)
  - Strategic Director of Finance to report.
  
12. Preliminary Flood Risk Assessments for Rotherham (June 2011) (report herewith) (appendices provided separately) (Pages 54 - 58)
  - Strategic Director of Environment and Development Services to report.
  
13. Herringthorpe Playing Fields (report herewith) (appendices provided separately) (Pages 59 - 63)
  - Strategic Director of Environment and Development Services to report.

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>CABINET</b>
<b>2.</b>	<b>Date:</b>	<b>19<sup>th</sup> OCTOBER, 2011</b>
<b>3.</b>	<b>Title:</b>	<b>MINUTES OF A MEETING OF THE LOCAL DEVELOPMENT FRAMEWORK (LDF) MEMBERS' STEERING GROUP HELD ON 16th SEPTEMBER, 2011</b>
<b>4.</b>	<b>Programme Area:</b>	<b>ENVIRONMENT AND DEVELOPMENT SERVICES</b>

**5. Summary**

In accordance with Minute No. B29 of the meeting of the Cabinet held on 11<sup>th</sup> 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 16<sup>th</sup> September, 2011 is therefore attached.

**6. Recommendations:-**

**That progress to date and the emerging issues be noted, and the minutes be received.**

## **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 16th September, 2011.

**Contact Name : Karl Battersby, Strategic Director,  
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**ROTHERHAM LOCAL DEVELOPMENT FRAMEWORK STEERING GROUP**  
**Friday, 16th September, 2011**

Present:- Councillor Smith (in the Chair); Councillors Dodson, Jack, McNeely, Pickering, Whelbourn, Whysall and Wyatt.

together with:-

Andy Duncan	Principal Officer
David Edwards	Principal Officer
Bronwen Knight	Manager
Ryan Shepherd	Senior Planner
Helen Sleigh	Senior Planner

**1. INTRODUCTIONS/APOLOGIES**

Apologies for absence were received from:-

Councillor Akhtar	Deputy Leader
Councillor S. Walker	Senior Adviser, Town Centres, Economic Growth & Prosperity

**2. MINUTES OF THE PREVIOUS MEETING HELD ON 22ND JUNE, 2011**

Consideration was given to the minutes of the previous meeting held on 22<sup>nd</sup> June, 2011.

Resolved:- That the minutes be approved as a correct record.

**3. MATTERS ARISING**

There were no matters arising from the previous minutes.

**4. DRAFT NATIONAL PLANNING POLICY FRAMEWORK**

The Senior Planner spoke to the submitted report which summarised the draft National Planning Policy Framework which the Government has published for consultation.

Key points of the document were highlighted together with more detailed explanations of the following:-

- presumption in favour of sustainable development
- plan making
- Neighbourhood planning
- Development management
- Planning policy guidance

The overall messages in streamlining guidance meant:-

- (i) less detail presented than in current guidance
- (ii) less detail and guidance on applying policy approaches

Four potential implications for the preparation of the LDF were detailed in the submitted report.

It was emphasised that it was important to have a robust plan otherwise there was the risk that the Government would dictate. It was noted that additional work may be required to ensure that any submitted LDF documents comply with the new guidance as if submitted documents were not 'compliant' with new guidance then they may be found unsound at examination.

Members present commented on:-

- Implications of the Planning Inspector overturning applications
- Town centre office developments and possible change of use
- Localisation of business rates
- Consultation within the Council
- Difficulties in keeping up with all the documentation coming out of central Government
- The Localism Bill and the RSS targets

Resolved:- That the contents of the report be noted.

## **5. LDF CONSULTATION**

The Senior Planner reported on the LDF consultation process with reference to the following:-

- Stakeholder seminar:- involving representatives from the Environment Agency, Natural England, CPRE, key individuals and developers
- 20 Drop-in sessions
- Leaflets, posters, press releases, fact sheets, FAQ's, loan of CD's, information in libraries and on the internet
- 12 workshops with communities of interest
- Presentation to the Parish Network
- Cost of the consultation
- 1 : 1 opportunities for discussion

Consultation responses:-

- Between 1300 - 1500 people attended drop-in sessions

**3 ROTHERHAM LOCAL DEVELOPMENT FRAMEWORK STEERING GROUP - 16/09/11**

- 2000 individual comments received
- 3000 petitions and standard letters received
- 88% object

Members present commented on:-

- The housing waiting list and % of affordable housing
- Clarity of maps and annotation
- Availability of legal advice, expertise and knowledge
- Breakdown of the actual number of responses for each area
- Assistance given to Ward Councillors by officers

**6. INFRASTRUCTURE DELIVERY PLAN**

The Principal Officer reported on a range of issues coming out of the consultation re: infrastructure.

Under the new guidance infrastructure needs and costs would have to be assessed and this would include how the infrastructure would be phased with development in 5 year tranches. Reference would also need to be made to funding sources and who will deliver. This would have implications for the Community Infrastructure Levy.

It was reported that consultants had been commissioned, funded from New Homes Fund, to carry out the study which would look at the existing capacity and identify gaps and provide a delivery plan for the LDF to submit with the Core Strategy.

**7. RENEWABLE ENERGY AND LOW CARBON STUDY**

The Principal Officer reported on the commissioning of consultants to carry out a low carbon/climate change study, part funded by the LGYH. The study would be asked to identify resources for renewable energy and provide a mechanism to promote renewable energy and information about viability and information for the Community Infrastructure Levy. The study would form part of the evidence base of the LDF.

A workshop was being held on 30<sup>th</sup> September at the Town Hall, lead by the Cabinet Member for Health and Wellbeing.

Members commented on:-

- Wind energy
- Bio-mass
- Waterways strategy and water power
- Solar farms
- Geo-thermal heat

Resolved:- That a further report be submitted to the next meeting.

**8. BASSINGTHORPE FARM MASTERPLANNING**

The Senior Planner reported on the commencement of discussions for the master planning of the Bassingthorpe Farm urban extension with the landlord.

It was thought that Planning Aid, Rother Fed and the Area Assembly Team could help the community to form a small working party to begin awareness raising, introduce the concept and provide an overview of the timeframe involved.

Reference was made to:-

- Local opposition and greenbelt campaigners
- Local expectations
- The need for a specialist officer team
- The greenbelt review
- Links to the Dearne Valley Eco Vision
- Identification of opportunities and objectives for the site, along with constraints
- The need to engage with supporters and objectors
- Proximity of landfill site

**9. ANY OTHER BUSINESS**

There were no other items of business.

**10. DATE, TIME AND VENUE OF NEXT MEETING**

Resolved:- That the next meeting of the Local Development Framework Steering Group be held on Friday, 28<sup>th</sup> October, 2011 at 10.00 a.m. at the Town Hall, Moorgate Street, Rotherham.



**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>CABINET</b>
<b>2.</b>	<b>Date:</b>	<b>19<sup>TH</sup> OCTOBER, 2011</b>
<b>3.</b>	<b>Title:</b>	<b>MEMBERS' TRAINING AND DEVELOPMENT PANEL MINUTES</b>
<b>4.</b>	<b>Directorate:</b>	<b>CHIEF EXECUTIVE'S</b>

**5. Summary**

To consider Members' training matters.

**6. Recommendations**

To receive the minutes of the meetings of the Members' Training and Development Panel held on 29<sup>th</sup> September, 2011.

**7. Proposals and Details**

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

**8. Finance**

The Panel has its own training budget.

**9. Risks and Uncertainties**

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

**10. Policy and Performance Agenda Implications**

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

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

**11. Background Papers and Consultation**

A copy of the minutes of the meeting of the Members' Training and Development Panel held on 29<sup>th</sup> September, 2011, are attached.

**Contact Name** : Tracey Parkin, Human Resources Manager, Chief Executive's Directorate – Tel. 01709 823742 [tracey.parkin@rotherham.gov.uk](mailto:tracey.parkin@rotherham.gov.uk)

**MEMBERS' TRAINING AND DEVELOPMENT PANEL  
THURSDAY, 29TH SEPTEMBER, 2011**

Present:- Councillor Gosling (in the Chair); Councillors Dodson, Pickering, G. A. Russell, Sangster, Sharman, Whelbourn and Mrs. C. Cockayne.

Apologies for Absence were received from Councillors Buckley, Lakin, Rushforth, Steele, Stone and Wootton.

**59. MINUTES OF THE PREVIOUS MEETING HELD ON 28TH JULY, 2011**

The minutes of the previous meeting held on 28<sup>th</sup> July, 2011 were agreed as a correct record.

With regards to Minute No. 56 (Training Requirements) and in particular Personal Development Plans consideration was given as to their continuing merits and whether the process should take place annually or every two years.

The Panel believed that the process should continue every two years and the outcomes feed into the training plan for Members.

**60. RECYCLING GROUP**

Consideration was given to a request for a nomination to the Recycling Group from this Panel.

Agreed:- That Councillor Steele be this Panel's nominated representative.

**61. LGID KNOWLEDGE HUB**

The Chairman introduced John Finnen, Performance Officer, to the meeting who gave a presentation on the Knowledge Hub and Local Government Inform, which was a performance management, benchmarking and data analysis system.

The presentation drew specific attention to:-

- Local Government Group – Taking the Lead.
- The 7 Point Offer.
- Overview of the Knowledge Hub – Functionality and Resources.
- Official Launch of the Knowledge Hub.
- Local Government Inform.
- Headline Reports.
- Metrics Library and Examples.
- Local Government Inform – Access.

Discussion ensued on the possibility of a further information sharing session once the Knowledge Hub was "live" for all Members.

Agreed:- (1) That John Finnen be thanked for his informative presentation.

(2) That arrangements be made for an all Member seminar on the Knowledge

Hub in due course.

## **62. E-CASEWORK/E-LEARNING**

Richard Copley, Client Officer, gave a brief update on the progress made with E-Casework, usage, training availability and the methods by which the system could be populated with surgery complaints.

Jean Tracey, I.T. Training Officer, reported on the training sessions that had been arranged for Elected Members, the new developments of the system and the feedback already received. A further session was arranged for Friday, 30<sup>th</sup> September, 2011 over the lunchtime period.

Discussion ensued on the processes used by Members to resolve surgery complaints and the need for these to be captured within E-Casework. Members were advised of the importance of using E-Casework and the role and support that the Members' Secretariat could provide.

Agreed:- That Richard Copley and Jean Tracey be thanked for their information.

## **63. CHARTER FOR MEMBER DEVELOPMENT - UPDATE**

Further to Minute No. 45 (Charter for Member Development) of the meeting held on 21<sup>st</sup> April, 2011, Katie Dawson, HR Officer, gave an update on the outstanding actions from the Charter for Member Development assessment.

- Provision of suitable support and induction programme for Councillors elected at a by-election

A mini induction programme would be provided based on the context of the main induction programme, but formalised on a 1:1 basis. Arrangements would be made with officers to provide information. A question would also be included in the personal development plans to see if Councillors wanted to be part of new Councillor mentoring projects.

- Reconfiguration of times of meetings

Training arrangements now took account of dates/times to cater for all Members' requirements.

- Report templates and simplified language

The report template was in the process of being simplified and an update done to the Plain Language and Clear Communication Guidelines.

The two documents would be widely circulated in due course.

- Training Evaluation

Those Elected Members who had attending training courses would be issued with an evaluation form and be asked to fill in details.

The Members' Training and Development Panel would then be responsible for reviewing the evaluation forms on a six monthly basis and would be timetabled accordingly on agendas.

Agreed:- That Katie Dawson be thanked for the update and the contents noted.

**64. INDEPENDENT FINANCIAL TRAINING**

Further to Minute No. 55 (Training Events) of the meeting held on 28<sup>th</sup> July, 2011, Councillor Darren Hughes, Chairman of the Self Regulation Select Commission, provided further information as to the reason for the request for independent financial training being provided for a sub-group of the Self Regulation Select Commission. This training would aid their role in scrutinising the proposals set out as part of the budget setting process.

It was good practice to seek independent advice and various options had been considered, including officer peer support through the Local Government Group. This provision would be at minimal cost to the Council apart from expenses.

Discussion ensued on the value of this independent training and whether or not an invitation could be extended to other Members and it was agreed that this include the Chairman of the Audit Committee.

Agreed:- That arrangements be made with the Local Government Group to set up the officer peer independent training as soon as possible for the sub-group of the Self Regulation Select Commission and the Chairman of the Audit Committee.

**65. MEMBERS' TRAINING EVENTS**

Consideration was given to the information that had been circulated with the agenda relating to forthcoming training events for Elected Members.

It was suggested that the information be circulated to all Members for information.

Agreed:- That the forthcoming training events be noted and the details circulated to all Members for information.

**66. DATE AND TIME OF NEXT MEETING**

Agreed:- That the next meeting of the Members' Training and Development Panel take place on Thursday, 20<sup>th</sup> October, 2011 at 2.00 p.m.

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:-</b>	<b>Cabinet</b>
<b>2.</b>	<b>Date:-</b>	<b>19 October 2011</b>
<b>3.</b>	<b>Title:-</b>	<b>Review of Polling Places 2011 – all wards affected</b>
<b>4.</b>	<b>Directorate:-</b>	<b>Chief Executive's</b>

### **5. Summary**

The report describes the review of parliamentary polling districts and polling places which is required under the Electoral Administration Act 2006 and final proposals for future polling arrangements.

### **6. Recommendations**

- **That the proposals outlined in the report be approved**
- **That the final recommendations and statutory notice be published**
- **That voters affected by the changes are notified directly on conclusion of the review**
- **That the requirements for each venue and details of known future election dates are confirmed directly with owners/leaseholders on conclusion of the review**

## 7. Proposals and Details

The Electoral Administration Act 2006 requires that a full review of polling arrangements be completed every four years. The last was completed in December 2007 and the current review commenced on 22 June 2011 and must conclude by 1 December 2011.

The review has been conducted under the Terms of Reference at appendix 1 which were published along with the statutory Notice of Review on 22 June 2011. The suggested timetable in the terms of reference has been amended because the Cabinet meeting scheduled for 5 October was cancelled but the statutory timeframe means that it is important that the remaining target dates are achieved.

Stakeholders, including elected members, MPs, political parties, parish councils, community groups and electors were offered an opportunity to make representations. Details are at appendix 2.

The Electoral Services team has considered polling arrangements throughout the borough and has taken account of the representations received during the review which are at appendix 3. The Facilities Management team has been involved in the review and Building Managers have provided expertise on accessibility issues and specific knowledge of many of the current and potential polling venues.

Every venue has been evaluated against issues of accessibility, voter convenience, fairness and availability for polling (including at short notice). It should be noted that the outcome of the RMBC Property Rationalisation Savings and Localities Review may affect the future availability of some venues.

The Returning Officer's proposals were reported to Overview and Scrutiny Management Board on 9 September 2011. The Board resolved that the proposals be supported, and a report be submitted to Cabinet. However, there are two revisions to the proposals as originally submitted to the Overview and Scrutiny Management Board.

- A proposal to cease using Manor Farm Community Centre is withdrawn. Concern was expressed about this proposal by some members of the Board and the matter was referred back to RMBC's Facilities Manager. He subsequently met with the leaseholders and has agreed to work with them to ensure that they meet the necessary statutory requirements to ensure that the building operates safely.
- The proposal to revise boundaries in Maltby around the Charles Foster Community Centre is amended so that only voters from the current Maltby Wood (IE) polling district are allocated to this new venue. On detailed analysis, it seems unlikely to provide more convenient facilities for electors currently within Queens (IF) polling district.

Appendix 4 sets out the result of the review and the Returning Officer's final recommendations for polling arrangements across the borough and proposes a total of 163 polling stations across 128 venues to serve the electorate of 193,000 – an average of 1184 voters per polling station.

Appendix 5 describes the changes that are recommended: 8 additional venues, 4 changes in venue and 3 minor changes at current venues (change of room or of voter allocations).

Appendix 6 contains a map and property allocations for each proposed revision to polling district boundaries.

## **8. Finance**

There will be additional costs associated with eight additional polling places but these are not significant and should be weighed against the statutory requirement to provide adequate polling provision.

## **9. Risks and Uncertainties**

The timescale for the review is tight; there is a statutory requirement that it be concluded by 1 December 2011. It is the Electoral Registration Officer's duty to make alterations to the registers of electors to reflect any changes in polling districts. If this is not done in time to be incorporated in the revised register published on 1 December it will have implications for the supply of registers to organisations and political parties and the planning of the elections to be held in May 2012.

Inadequate provision of polling places and polling stations could have a detrimental affect on voter turnout and could be the source of an election challenge.

There must be a sufficient number of suitable polling stations to allow the Returning Officer to allocate a reasonable number of voters to each. The Electoral Commission's report on queues in some areas at the 2010 elections concluded that in part the problems were as a result of a reduction in polling stations so that too many voters were allocated to each. There will be more combination of polls at future elections which increases the risk of queues where provision is inadequate.

The polling place review has highlighted an emerging risk to the adequate provision of polling venues. The current financial climate is forcing the council to continually review its property assets and council premises currently used or potentially suitable for polling may become unavailable. There are few suitable privately owned buildings and private premises always carry the risk that use for polling is not guaranteed and may be refused, sometimes at short notice. There may be a change of ownership or policy or an alternative booking may be preferred.

It is likely that more schools will be required as polling places in the future if sufficient provision is to be assured.

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

Provision of reasonably convenient polling arrangements is a statutory requirement and contributes to delivery of the council's objectives of fairness, equality and community cohesion. Such provision is an essential element of the free and fair elections required under Protocol 1, Article 3 of the Human Rights Act.



## 11. Background Papers and Consultation

- Electoral Administration Act 2006
- The Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006

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**ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET**

<b>1.</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2.</b>	<b>Date:</b>	<b>19 October 2011</b>
<b>3.</b>	<b>Title:</b>	<b>Medium Term Financial Strategy and Budget Timetable August 2011– March 2012</b>
<b>4.</b>	<b>Directorate:</b>	<b>Financial Services</b>

**5. Summary**

This report provides detail of the proposed timetable for the revision of the 2011-2016 Medium Term Financial Strategy (MTFS) and for determining the 2012/13 Revenue Budget and the Capital Programme for the period 2012/13 to 2014/15.

**6. Recommendation**

- **That Cabinet Support the proposed MTFS and Budget Timetable in Appendix A.**

## **7. Proposals and Details**

The Council's Medium Term Financial Strategy (MTFS) indicated that it would be developed and revised in the light of changing circumstances and that it would be subject to a formal annual review. Part of this process includes preparing the 2012/13 Revenue Budget which forms the first of the four years covered by the new MTFS. This process will reflect the forecast budget outturn position reported in 2011/12 budget monitoring and other changes and developments including: new spending pressures and savings proposals. It will also reflect the outcomes of the current Local Government Resource Review (including the localisation of Business Rates).

Provision has been made within the proposed timetable for reviewing the Council's currently approved Capital programme and for approving the programme for the period 2012/13 to 2014/15. This is in line with best practice to ensure that the revenue budget implications of capital spending decisions are more effectively integrated into MTFS and annual Revenue Budgeting decision-making. In addition, policy options for the period 2012/13 to 2014/15 will need to apply the Council's Overarching Charging Policy approved by Cabinet on 25 March 2009, which agreed that an annual review of fees and charges should be included as an integral part of the annual budget setting process.

The opportunity to reflect on experience of the 2011/12 Budget Process and to learn lessons that could be applied to improve the delivery of the 2012/13 budget has been used. The proposed timetable has been integrated with that of the Council's Budget Consultation process, reflects the revised scrutiny arrangements for the budget process by including the meetings of the Self Regulation Select Commission and includes the Government's resource review.

Appendix A comprises a timetable for this process over the coming months ending with the full Council meeting on 7<sup>th</sup> March 2012, which will set the Revenue Budget and Council Tax level for 2012/13 and the Capital Programme for the period 2012/13 to 2014/15. The proposed timetable relates only to Member involvement in the budget process.

The proposed timetable has been considered jointly with Corporate Policy and Performance and reflects the work using Budget Matrices that has been undertaken over the Summer. The timetable also includes the Consultation Process that is now underway and attached as appendix B is the Budget Consultation timetable.

## **8. Finance**

There are no direct financial implications arising from this report.

## **9. Risks and Uncertainties**

The Council is required by law to have determined its Budget and Council Tax level by 10 March and this timetable is intended to allow Members the opportunity to have considered in detail the issues, pressures and savings surrounding the Council's Revenue Budget for 2012/13 and to integrate this with the review of the MTFS – the Council's Medium Term Financial Strategy. Given the statutory deadline in early

March 2012 there is limited scope to accommodate slippage in other aspects of the Budget process.

Delivery of the annual Revenue Budget and Capital Programme and the MTFs is essential to the achievement of the Council's key priorities.

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

As indicated, the Council's Corporate Plan and Community Strategy are represented in financial terms by the MTFs and Capital Programme. Delivery of the Plan and strategy is facilitated by the MTFs and Capital Programme and they underpin the Council's established policy priorities. The annual review of the MTFs, the Capital Programme and the budget setting process allows assumptions within the strategy to be revised and priorities to be reassessed to reflect changes in circumstances both locally and nationally.

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

Provisional Schedule of Council, Cabinet, Board, Committee and Panel Meetings for the Period June 2011 to July 2012.

The Council's Medium Term Financial Strategy (MTFS) 2008-2011.

Overarching Charging Policy: – report of the Strategic Director of Finance, Cabinet 25 March 2009.

The Council's Capital Programme 2011/12 to 2013/14.

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**MEDIUM TERM FINANCIAL STRATEGY AND BUDGET TIMETABLE**  
**JULY 2011 – MARCH 2012**

**Cabinet**

To consider the 2010/11 Revenue and Capital Outturn

**Summer 2011**  
20<sup>th</sup> July

**Special Cabinet/SLT**

To consider 2012/13 Budget and beyond

8<sup>th</sup> August

**September 2011**

**Budget Consultation Process starts**

Online consultation built including e Survey, paper questionnaires used in workshops with Communities of Interest. Press release to advertise consultation.

September 2011

**Council**

To consider the 2010/11 Revenue and Capital Outturn

14<sup>th</sup> September

**Self Regulation Select Commission**

To consider the implications of the 2010/11 Outturn

15<sup>th</sup> September

**October 2011**

**Local Government Resource Review and Localisation of Business Rates Consultation ends and legislation published**

October 2011

**Consultation**

Online consultation via e survey starts. Qualitative consultation workshops with Communities of Interest and with Communities of Place (via Area Assemblies) take place.

**Cabinet/SLT**

To review the initial outcomes of the Budget Matrix Process prior to starting consultation on outcomes.

4<sup>th</sup> October

**Cabinet/SLT**

To progress the MTFS & Annual Revenue Budget and Capital Programme and address emerging issues

18<sup>th</sup> October

**Self Regulation Select Commission**

To receive outcomes of Budget Matrix process and consider their implications for budget proposals.

27<sup>th</sup> October

**Consultation by Survey undertaken at Fayre's Fair Event**

27<sup>th</sup> October

**November 2011**

**Consultation**

Analysis of results and production of reports

November/December

**Overview and Scrutiny Management Board**

4<sup>th</sup> November

**Cabinet / SLT**

To progress the MTFS & Annual Revenue Budget and Capital Programme in the light of emerging issues.

8<sup>th</sup> November

<b>Cabinet / SLT</b> To review the initial outcomes of the Budget Matrix Process and consultation processes and assess their implications for the budget and capital programme.	<b>22nd November</b>
<b>Settlement Figures Received -</b>	<b>End Nov/early Dec 2011 December 2011</b>
<b>Cabinet/SLT</b> Following initial consultation results and feedback from the Budget Matrix process to progress the MTFS & Annual Revenue Budget and Capital Programme.	<b>6<sup>th</sup> December</b>
<b>Self Regulation Select Commission</b> To consider emerging Budget Proposals and initial results from the consultation process.	<b>8<sup>th</sup> December</b>
<b>Member Seminar</b> To consider implications of Provisional Local Govt Finance Settlement	<b>13<sup>th</sup> December</b>
	<b>January 2012</b>
<b>Consultation</b> Final report for SLT and Cabinet. Final report for Self-Regulation Select Commission. Public dissemination of results via press release and feedback to participants.	<b>January/February</b>
<b>Overview and Scrutiny -</b> to review proposals for Housing Rents	<b>13<sup>th</sup> January</b>
<b>Cabinet/SLT</b> To consider and assess the final outcomes of the consultation process and Budget Matrix and their implications for the Council's Budget and Capital Programme	<b>17<sup>th</sup> January</b>
<b>Cabinet</b> To approve Council Tax Base / Recommend Council House Rents and to receive a monitoring report to the end of November 2011 on the Council's 2011/12 Revenue Budget and Capital Programme	<b>18<sup>th</sup> January</b>
<b>Self Regulation Select Commission</b> To review the outcomes of the Consultation Process and their implications for the Council's Budget.	<b>26<sup>th</sup> January</b>
<b>Final Settlement Figures Received</b>	<b>(around) end January</b>
	<b>February 2012</b>
<b>FULL COUNCIL Meeting</b> To set Housing Rents	<b>1<sup>st</sup> February</b>
<b>Cabinet / SLT</b> To revenue and progress the Council's Revenue Budget and Capital Programme in the light of the Local Government Finance Settlement.	<b>7<sup>th</sup> February</b>
<b>Overview and Scrutiny Management Board</b>	<b>10<sup>th</sup> February</b>

<b>Budget Seminar</b> to consider the proposed Budget for 2012/13.	<b>14<sup>th</sup> February</b>
<b>Cabinet/SLT</b> To consider the draft Revenue Budget, Council Tax and Capital Programme	<b>21<sup>st</sup> February</b>
<b>Cabinet</b> To finalise Recommendation to Council on Revenue Budget and Capital Programme for 2012/12 to 2014/15 and to seek approval for the Council's Treasury Management Strategy and Prudential Indicators for the period 2012/13 to 2014/15.	<b>22<sup>nd</sup> February</b>
<b>FULL COUNCIL Meeting</b> To set Council Revenue Budget and Council Tax Level and Capital Programme for 2012/13 to 2014/15.	<b>7<sup>th</sup> March</b>

**Budget Consultation 2011/12**

<b>Timetable</b>	
<b>Date</b>	<b>Method/Details</b>
<b>August/September 2011</b>	<ul style="list-style-type: none"> <li>• Develop questions for the electronic/web and paper based consultation using key headlines from the Budget Matrix exercise.</li> <li>• Report on the MTFS Budget Timetable for Cabinet to include details of Budget Consultation 2011/12.</li> <li>• Press release produced and disseminated on the Budget Consultation 2011/12 advertising the electronic/web and paper based consultation.</li> </ul>
<b>October 2011</b>	<ul style="list-style-type: none"> <li>• Online consultation via an e survey starts.</li> <li>• Qualitative consultations workshops with communities of interest take place.</li> <li>• Qualitative consultations workshops with communities of place via area assemblies take place.</li> <li>• Quantative consultation takes place at Fayre's Fair on 27<sup>th</sup> October.</li> <li>• Budget Consultation 2011/12 incorporated into other consultations if opportunities arise.</li> </ul>
<b>November/December 2011</b>	<ul style="list-style-type: none"> <li>• Analysis of results and production of reports.</li> </ul>
<b>January / Feb 2012</b>	<ul style="list-style-type: none"> <li>• Final Report for SLT and Cabinet</li> <li>• Final report to Self-Regulation Scrutiny Commission.</li> <li>• Public dissemination of results via press release.</li> <li>• Feedback to participants attending workshops.</li> </ul>
<b>March 2012</b>	<ul style="list-style-type: none"> <li>• Council budget for 2012/13 approved by Council.</li> </ul>



<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET</b>
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<b>1</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2</b>	<b>Date:</b>	<b>19th October 2011</b>
<b>3</b>	<b>Title:</b>	<b>Revenue Budget Monitoring for the period ending 30th September 2011</b>
<b>4</b>	<b>Directorate:</b>	<b>Financial Services</b>

## **5 Summary**

In setting the 2011/12 Revenue Budget the Council had to manage an unprecedented level of savings (£30.3m) resulting from the withdrawal of Central Government funding and grant allocations. In meeting this significant financial challenge the Council, from the outset, said that the Budget process must focus on the customers it serves, the communities and businesses of Rotherham. This has meant, as a first course of action, streamlining our management and administration, and reducing as far as possible our back office costs. These were highlighted as a priority by the public in our 'Money Matters' budget consultation.

This report provides details of progress on the delivery of the Revenue Budget for 2011/12 based on performance for the first 6 months of the 2011/12 financial year. The report flags up a potential overspend of £6.923m (3.20%). The main reasons for the variance are:

- The continuing service demand and cost pressures in looking after vulnerable children across the Borough, which are also being felt both nationally and locally by a large number of councils;
- Additional, one-off property costs relating to the continued rationalisation of the Council's asset portfolio as part of the efficiency drive to reduce operational costs; and
- The extended timescale for realising the full forecast management and business support savings of £1.45m.

**However, the report identifies actions being taken by the Strategic Leadership Team to drive the Budget position towards a balanced position by the end of the financial year.**

## **6 Recommendations**

**Cabinet is asked to:**

- **Note the contents of this report;**
- **Note the progress made to date in delivering the significant financial challenges presented in the Council's Revenue Budget;**
- **Determine any further actions to be taken by Directorates so as to minimise the impact on the Council's medium term financial position.**

## 7.1 Proposals and Details

This report presents details of spending against budget by Directorate covering the first 6 months of the 2011/12 financial year – April to September.

## 7.2. The Overall Position

Service Area	Annual Budget 2011/12	Projected Outturn 2011/12	Variance after Actions (over+)/under spend) £'000	%
	£'000	£'000		
Children & Young People Services	35,623	41,023	+5,400	+15.2
Environment and Development Services	43,876	44,272	+396	+0.9
Neighbourhoods & Adult Services	80,056	79,996	-60	0
Chief Executive's Office	10,788	10,788	0	0
Financial Services	8,204	8,204	0	0
Central Services	41,075	42,262	+1,187	+2.9
<b>TOTAL</b>	<b>219,622</b>	<b>226,545</b>	<b>+6,923</b>	<b>+3.2</b>
Housing Revenue Account (HRA)	76,787	76,525	-262	-0.3

Appendix 1 to this report provides a detailed explanation of the key areas of forecast over / underspend by Directorate. The summarised position for each Directorate is described below.

### **Children & Young People's Directorate (£5.4m forecast overspend)**

The £5.4m forecast overspend position is largely due to pressures within Safeguarding and Corporate Parenting Service and is a continuation of the position from 2010/11. The position in Rotherham is similar to that being publicly reported by statistical and regional neighbours as well as nationally.

Recent information acquired from a number of Local Authorities (including some statistical and regional neighbours) showed that in 2010/11 these authorities' outturn positions ranged from £1m overspend to £10.3m overspend - in one authority, the overspend was 14% above the budgeted amount. **For the current year, the same authorities are all forecasting an overspend of between £249k and £5m mostly resulting from the increasing number and cost of out of authority placements and / or agency staffing.**

The Director of Children's Services has contacted colleagues from Bedford, Middlesbrough, Darlington, and Poole, amongst others as to their Looked After Children (LAC) position. All are reporting increases in their LAC population. The Tees Valley authorities are reporting the highest ever. One of them has gone from

260 to 350 and rising. **In Rotherham we are doing well to hold our LAC population below 400 and reduce the numbers in residential care.**

Children's Services nationally suffered significant reductions in grant allocations both in 2010/11 and 2011/12. Rotherham's former Area Based Children's Grants (now paid via the Early Intervention Grant) were reduced by £3.9m in 2011/12. School grants were also reduced by £2.8m. This has inevitably placed further pressure on the service.

**The service has been proactive in driving down costs:**

- Management actions (predominantly through successful recruitment to vacant Social care posts), is expected to result in an equivalent staff/agency cost reduction of £353k compared with 2010/11. Plans are in place to end all remaining agency assignments on or before the 30<sup>th</sup> December (with the exception of the Operations Manager (Central), and, going forward the basis for using agency staff will be 50% of vacant posts.
- A Multi-Agency Support Panel was introduced by the Director of Safeguarding & Corporate Parenting in April 2011 and has delivered in the past 6 months, **cost avoidance in the region of £2.22m - this represents costs avoided through effective multi agency management actions and decision making.**
- Successful work undertaken in commissioning and re-commissioning service provider contracts has led to significant cost reductions/cost avoidance (£0.72m)

The service has also implemented a number of invest to save actions which will facilitate the implementation of more preventative and early intervention services, delivering net savings in excess of £1m over the next four years. In addition, the service aims to reduce the number of out of authority fostering placements from 130 to 80 over the next 3 years.

**Children's Services are constantly looking for ways to reduce spend and increase efficiency with the aim of reducing their current forecast overspend.**

#### **Environment & Development Services (£396k forecast overspend)**

Key areas of overspend are within Planning and Regeneration where there has been a significant reduction in external funding (£166k) and in Asset Management where additional, one-off cost pressures exist related to the ongoing rationalisation of the Council's asset portfolio (£200k). These pressures are partially offset by forecast savings within Streetpride due to one-off savings arising from deferred implementation of Waste contracts.

**The service is actively looking to identify options to reduce and eliminate the forecast overspend.**

#### **Neighbourhoods and Adult Services (£60k forecast underspend)**

Overall the Directorate is forecasting a £60k underspend. Within this, Adult Services are forecasting a balanced position and Neighbourhood Services £60k underspend. The forecast balanced position in Adult Services is made up of a number of under and overspends, detailed in Appendix 1.

### **Financial Services - (forecast balanced budget)**

Although Financial Services is currently forecasting a balanced budget for 2011/12 the service budget includes a number of savings (£1.141m) in relation to the successful completion of the Council's Strategic Partnership with RBT. Managing the transition towards reintegrating these services into the Council is ongoing and an update on delivery of these budgeted savings will be provided in the next budget monitoring report.

### **Chief Executive - (forecast balanced budget)**

At this stage of the financial year the Directorate is forecasting an outturn position in line with budget (balanced).

### **Other Issues**

In setting the 2011/12 Budget, the Council pledged **to protect services for those in most need**. To do this, the Council put forward a wide range of Council-wide savings or additional sources of funding – totalling £14.4m. It is currently forecast that the Council may not fully realise this target this year by just over £1.1m (7.6%). The main reasons for this variance are:

- **Management Review (£1.25m)** – Progress to date shows management savings of £1.78m which includes annual revenue savings of £1.07m. Due to timing effects, this amounts to savings of £593k for 2011/12 as staff have left part way through the year. It is expected that further revenue savings will be identified from this review, and these will be included in the next budget monitoring report.
- **Business Administration Review (£200k)** – Progress to date shows that annual revenue savings of £134k have been achieved although for 2011/12 this amounts to £70k as staff have left part way through the year. Any further revenue savings identified from this review will be included in the next budget monitoring report.
- **Localities Review & Premises Costs (£500k)** – the Council is optimistic that over time it will be possible to deliver the savings target - to date revenue savings of £100k are expected to be achieved in 2011/12.

Progress on delivery of other savings targets including development of shared services (£500k), Customer Services Review (£250k), Improved Commissioning (£400k) are proactively being managed and are projected to be on target. However, delivering these savings will be challenging. A progress update will be included in the next budget monitoring report.

Other cross-cutting savings within the 2011/12 budget included non-payment for Concessionary Days (£1.120m) and deferral of incremental progression (£800k), mileage savings (£100k) and reductions to supplies and services budgets (£400k). These targets have been allocated across Council Directorates and performance against these is included in the Directorate forecast outturn positions in the table at 7.2 above.

## **Management Actions**

Given the pressures in the Council's Budget, the Strategic Leadership Team has identified a series of actions aimed at driving the Budget towards a balanced position by the end of the financial year. These include:

- Ensuring that all available resources are focussed on the Council's priorities, as set out in the Corporate Plan
- Limiting operational expenditure to that which is essential, whilst ensuring that the needs of Rotherham's most vulnerable people are fully and securely met
- Ensuring that target savings within the 2011/12 Budget are delivered at the earliest opportunity
- Ensuring that all staff vacancies are tightly managed
- Working with partners to maximise the impact of scarce resources (such as working with Health colleagues on continuing health care services)
- Reviewing all contractual arrangements to ensure best value in a changing financial climate
- Identifying further actions to bring spend into line with Budget limits.

### **Housing Revenue Account (HRA) (£262k forecast underspend)**

At this stage of the financial year the Housing Revenue Account is forecasting a £262k (0.3%) underspend. Any underspend at the end of the year will transfer to HRA reserves (ringfenced funding).

## **8. Finance**

The financial issues are discussed in section 7 above.

## **9 Risks and Uncertainties**

Management actions have been put in place to address some of the issues identified to date and work is being undertaken to identify further actions. As these take effect they will be monitored to enable the impact of the actions to be assessed. Careful scrutiny of expenditure and income across all services and close budget monitoring therefore remain essential.

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

The delivery of the Council's Revenue Budget within the parameters agreed at the start of the current financial year is essential if the objectives of the Council's Policy agenda are to be achieved. Financial performance is a key element within the assessment of the Council's overall performance framework.

**11. Background Papers and Consultation**

- Revenue Budget and Council Tax for 2011/12 Report to Council 2nd March 2011.
- Strategic Directors and Service Directors of the Council

**Contact Name:** Andrew Bedford, Strategic Director of Finance, ext. 22004  
[Andrew.Bedford@rotherham.gov.uk](mailto:Andrew.Bedford@rotherham.gov.uk)

**Key reasons for forecast over / underspends****Children & Young People's Services (£5.4m forecast overspend)**

The key factors contributing to the forecast overspend are:

**Children Looked After** – Forecast overspend of £2.m net of Invest to Save funding. The forecast overspend on Residential out of authority placements is £602k. The number of children in residential out of authority placements as at 31<sup>st</sup> August is 15.

The forecast overspend on Independent Fostering placements is £2,604k. The number of children in Independent foster care as at 31<sup>st</sup> August is 129 (an increase of 22 since the end of March 2011).

The number of looked after children requiring placements increased from 345 at the end of March 2008 to 391 at the end of March 2011. As at the end of August this number is 389, a reduction of 2 (-0.5%) since the end of March 2011. The commissioning work to negotiate reductions in placement costs has already achieved a reduction in costs of £582K and an additional projected saving of £139K is included in the figures above.

**Commissioning and Social Work** – Forecast overspend of £1.961m due to staffing costs (£1,671K), interpretation costs (£24k), Section 17 payments (£38K), Section 23 payments (£8K), premises costs (£99K), Transport (£34K), supplies & services (£87k)

**Other Children & Families Services** – Forecast overspend £580k as a result of non-achievement of vacancy factor target (£85k), projected overspends on inter agency adoption costs (£177k), Special Guardianship allowances (£124K), Action For Children contract due to there being 27 care leavers to support & the budget was for only 15 (£278K) and offset by projected under spends on Adoption Allowances (£84K).

**Support Services & Management Costs** – Forecast Overspend of £634k is mainly due to Legal costs relating to Looked After Children.

**Strategic Management** – Forecast overspend of £338k mainly due to £256K costs on central supplies & services & £82K on non-achievement of vacancy factor.

**School Effectiveness Service** – Forecast over spend of £21k mainly due to staff savings not fully realised in year.

**Access to Education** – Forecast overspend of £12k due to non-achievement of vacancy factor.

**Youth & Community** – Forecast Overspend of £38k due to a projected under recovery of income with the outdoor education service (£45K) which is offset by staffing slippage within Adult Community Learning (-£7K).

**Pension/Miscellaneous** – Forecast Overspend of £28k due to additional pensions costs.

**Delegated Services** – Forecast Overspend of £106k. £52K of the forecast overspend is as a result of Rockingham Teachers Centre being unable to meet its income target as due to a reduction in staff within School Effectiveness Service they are unable to offer the

normal level of training courses. £44K is due to the Schools Music Service not achieving full year savings as the new structure has only been implemented in September. £10K is due to an under recovery of income on the RBT Schools HR SLA.

**Other Children Looked After Services** - £17k forecast underspend which includes a forecast overspend on Residence Orders (£144K), non-achievement of vacancy factor on the Fostering Team (£52K). This is offset by a forecast under-spends on fostering allowances (-£154K), Families Together packages (-£16K), staff slippage on Residential homes (-£43K).

The above over spends are being offset by under spends of £301k from redistribution of grant (£119k), slippage on Invest to save implementation (£148K) and below budget SEN placements (£34K).

**Environment & Development Services (£396k forecast overspend)**

**Streetpride** – The service is forecasting an underspend of £163k due to slippage on the implementation of some of the approved 2011/12 budget savings proposals (£305k), and pressures in respect of fuel inflation (£136k), these pressures are being more than offset by some one off savings in Waste due to deferred implementation of waste contracts.

**Asset Management** – The service is forecasting an overall overspend of £230k. £200k one-off cost pressures exist related to the ongoing rationalisation of the Council’s asset portfolio. There is also a forecast part year pressure for Rawmarsh JSC when it becomes operational towards the end of 2011/12 (£30k).

**Regeneration and Planning** – The service is forecasting an overspend of £166k due to reduced external funding. This pressure is being reviewed on an ongoing basis.

**Neighbourhoods & Adult Services (£60k forecast underspend)**

Although Adult Services are forecasting a balanced outturn a number of pressures are being offset by a number of areas of forecast underspend. The key underlying budget pressures include:

**Older Peoples’ Home Care Service** – forecast overspend of (+£669k) mainly due to increased demand for maintenance care within independent sector.

**Physical and Sensory Disability Services** – independent home care services forecast overspend (+£128k) due to a continued increase in demand. An additional increase of 40 new clients (+394 hours) on service since April.

**In House Residential Care** - income shortfall in respect of client charges (+£142k).

**Older People in-house residential care** - additional costs to cover vacancies and long term sickness (+£216k).

**Direct Payments** – forecast overspend of (+£460k) across all client groups due to increase in demand, a net increase of 13 clients since April.

**Transport** - recurrent budget pressure on transport (+£145k) including income from charges.

These pressures are being offset by the following forecast underspends:-



**Older People's service** – forecasting a net underspend on independent sector residential and nursing care due to an increase in the average client contribution and income from property charges (-£198k).

**Learning Disabilities** – forecasting an underspend within residential and nursing care due to slippage on transitions from Children's Services and additional income from health (-£479k).

**Physical and Sensory Disabilities** - In year slippage on developing Supported Living Schemes (-£140k). This scheme will however be fully operational in 2012/13.

**Learning Disabilities** - Review of care packages within supported living resulting in efficiency savings with external providers and additional funding from health (-£320k).

**Mental Health** – forecasting an underspend in respect of slippage in a number of service level agreements with external providers as clients move to Direct Payments (-£232k), therefore reducing the overall pressure on direct payments budgets.

**Rothercare Direct** – forecasting an underspend (-£106k) due to slippage on vacant posts and a reduction in expenditure on equipment including leasing costs.

**Neighbourhood Services** - £60k forecast underspend comprises:

**Housing Access** - There are small projected surplus balances within Adaptations Service (£5k) and Housing Management & Admin (£16k) as a result of vacant posts. These are partially reduced by a small forecast shortfall of £1k on the Medical Mobility and Community Care budget due to the unmet vacancy factor on this small budget area and a small projected income shortfall of £2k on the Housing Mortgage cost centre due to reducing income from Mortgage Interest.

**Housing Choices** - projecting a surplus within the Homelessness budget as a result of a post being held vacant since the post holder's secondment to another service area within Housing Choices.

**Safer Neighbourhoods** - forecast underspend within Community Protection due to vacant posts. This underspend is slightly offset by pressures on Transport and ICT support costs (£23k). Additional underspends are projected within Community Safety (£11k), Domestic Violence (£2k) and Anti-Social Behaviour (£12k) mainly due to vacant posts being held.

The Pest Control Service is currently facing a forecast income pressure of £18k which is being closely monitored.

**Business Regulation** - forecast underspends in Health & Safety and Food & Drugs totalling (£45k) as a result of vacant posts, which are mostly offset by projected overspends on Animal Health and Trading Standards mainly due to the services being unable to meet its vacancy management target.

**Neighbourhood Partnerships** - forecasting a small overspend (£4k) as a result of not being in a position to deliver its vacancy management target plus additional external audit costs on the Local Ambition programme.

## ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET

1.	<b>Meeting:</b>	Cabinet
2.	<b>Date:</b>	19 October 2011
3.	<b>Title:</b>	Corporate Risk Register
4.	<b>Directorate:</b>	Financial Services

## 5. Summary

Attached to this report is the new look corporate risk register summary. The summary shows the risks associated with the Council's most significant priorities and projects, and actions being taken to mitigate these risks.

Following comments from Cabinet, the risk register has been streamlined to emphasize the Council's most significant risks and key actions and developments relating to these risks.

Not surprisingly, the Council's key current risks relate to the financial pressures faced by the Council. Management actions are being taken to mitigate these and other risks in the register.

## 6. Recommendations

**Cabinet is asked to:**

- **note the revised corporate risk register summary attached at Appendix A**
- **confirm the current assessment of the Council's top four corporate risks**
- **indicate any further risks that it feels should be added to the risk register**

## 7 Proposals and Details

### 7.1 Format

This report contains the latest position on the Corporate Risk Register. The format of the report and corporate risk register summary, attached at **Appendix A**, has been changed to reflect comments made by Cabinet.

The covering report highlights the top four inherent risks. The corporate risk register summary reflects the current risk assessments for each corporate priority or project in the corporate risk register.

There are 3 overall categories of risk (RED, AMBER, GREEN) representing varying degrees of exposure. Each category contains a range of risk scores, so there are varying degrees of risk within each category. Appendix A shows the risk category and score for each priority or project included in the register before and after risk mitigation actions.

### 7.2 Top four inherent risks

The new risk register summary now shows risks in descending inherent risk order, to emphasize the most significant risks faced by the Authority. The top four inherent risks are:

- Managing Government budget reductions - unable to maintain key services due to budgetary limits.

*Cabinet and Strategic Leadership Team are meeting on a regular basis to consider the options available and, ultimately, Cabinet will make decisions that ensure the Council can provide priority services within available resources.*

- Unable to deliver effective Children's Services within budget.

*Ongoing action is being taken by management to provide services within the budget available. Cabinet is being kept informed of the relevant financial challenges as part of the budget monitoring and budget setting processes and makes decisions accordingly.*

- Funding of the Digital Region Project to provide comprehensive broadband facilities across South Yorkshire

*The company (Digital Region Ltd), four South Yorkshire Councils and Government Department for Business, Innovation and Skills are continuing to work on plans to ensure the ongoing viability of the project.*

- Sustaining improvement in Children's Services post DFE intervention

*Relevant monitoring and scrutiny of progress is being conducted by Members and management, and action plans varied according to any emerging issues. Good progress is being made and reflected in positive outcomes and inspection feedback.*

The summary at Appendix A provides more details of the actions being taken to mitigate these and other risks recorded in the corporate risk register.

The risks contained in the register require ongoing management action. In some cases additional resources may be necessary to implement the relevant actions or mitigate risks. Any additional costs associated with the risks should be reported to the Strategic Leadership Team and Members for consideration on a case by case basis.

## 9. Risks and Uncertainties

It is important to review corporate risks on an ongoing basis, to ensure risks relating to the Council's key projects and priorities are effectively monitored and managed by the Strategic Leadership Team and Members.

## 10. Policy and Performance Agenda Implications

Risk Management is part of good corporate governance and is wholly related to the achievement of the objectives in the Council's Corporate Plan.

## 11. Background Papers and Consultation

This report reflects the latest updates provided by the respective 'lead officers'.

### Contact Names:

*Colin Earl, Director of Audit and Governance, x22033*

*Andrew Shaw, Insurance and Risk Officer, x22088*

## Appendices

### A Corporate Risk Register Summary

## APPENDIX A: SUMMARY CORPORATE RISK REGISTER

No	Risk	Pre Controls 1-25	Lead officer  Key Actions/Updates	Post Controls 1 -25	Links to Corporate Priorities
0027	Managing Government budget reductions - unable to maintain key services due to budgetary limits	25	<u>Andrew Bedford</u> <ul style="list-style-type: none"> <li>High priority, driven through Strategic Leadership Team and Cabinet</li> <li>Further actions to mitigate budget reductions are being identified</li> </ul>	16	All Priorities
0022	Unable to deliver effective Children's Services within budget	25	<u>Joyce Thacker</u> <ul style="list-style-type: none"> <li>Additional funding for 2011/12 resulting in a balanced original budget</li> <li>Continuing monitoring and review of pressures into 2011/12</li> <li>Review of all service provision and structures continues.</li> </ul>	16	Priority 2 - Providing quality education ... Priority 3 - Care and protection for those people who need it most ...
0033	Funding of the Digital Region Project to provide comprehensive broadband facilities across South Yorkshire	20	<u>Andrew Bedford</u> <ul style="list-style-type: none"> <li>South Yorkshire Councils are adopting a proactive approach to the project, including support</li> <li>Ongoing work with the Company and Central Government on project funding</li> </ul>	16	Priority 1: No community left behind
0021	Sustaining improvement in Children's Services post Department For Education (DFE) intervention	20	<u>Joyce Thacker</u> <ul style="list-style-type: none"> <li>Service improvement and school attainment plan monitored by DFE</li> <li>Notice to improve removed Jan 2011</li> <li>Unannounced inspection provided positive feedback</li> <li>Peer challenge taking place Oct2011</li> </ul>	12	Priority 2 - Providing quality education ... Priority 3 - Care and protection for those people who need it most ...

No	Risk	Pre Controls 1-25	Lead officer Key Actions/Updates	Post Controls 1 -25	Links to Corporate Priorities
0004	Costs of Capital Programme-significant consequences on revenue budget	16	<b>Andrew Bedford</b> <ul style="list-style-type: none"> <li>Financial details within Medium Term Financial Strategy</li> <li>Regular monitoring, review and reporting taking place</li> </ul>	12	All Priorities
0031	Free Schools and other school arrangements could reduce LA provision and associated funding and could, therefore, adversely affect the Council's ability to support sustained improvement in attainment	16	<b>Joyce Thacker</b> <ul style="list-style-type: none"> <li>Monitoring has taken place and a report is to be taken to cabinet highlighting the risk and possible implications</li> <li>Implications being assessed by CYPs working with schools at risk of the implications of new provisions becoming free schools</li> </ul>	12	Priority 2 - Providing quality education ...
0030	Schools Collaboration- impact of schools commissioning on LA services	16	<b>Joyce Thacker</b> <ul style="list-style-type: none"> <li>Monitoring has taken place and a report is to be taken to Cabinet highlighting the risk and possible implications for the Council</li> <li>Strategic Director communicated with Head Teachers and Chairs of Governors regarding implications of collaboration and purchasing</li> <li>Commissioning exercise currently being devised in relation to Children Centre Provision in Rotherham.</li> </ul>	12	Priority 2 - Providing quality education ...

No	Risk	Pre Controls 1-25	Lead officer Key Actions/Updates	Post Controls 1 -25	Links to Corporate Priorities
0003	Availability of resources to carry out Schools Capital Investment programme	16	<u>Karl Battersby</u> <ul style="list-style-type: none"> <li>DfE decision on funding ensures that the Council can now allocate resources appropriately</li> <li>Awaiting analysis of further Government statements on funding</li> <li>Developing strategies for Capital Investment in conjunction with schools, academies, diocese and relevant government bodies</li> </ul>	9	Priority 2 - Providing quality education ...
0019	Failure to fully realise benefits of the RBT partnership before completion	16	<u>Andrew Bedford</u> <ul style="list-style-type: none"> <li>Transition arrangements being discussed</li> <li>Developing new forward plan</li> </ul>	9	All Priorities
0009	Implementation of Personalisation in Adult Social Services	16	<u>Tom Cray</u> <ul style="list-style-type: none"> <li>Budget proposals and efficiency proposals put into place</li> <li>Re-enabling and warden services to merge</li> </ul>	8	Priority 3 - Care and protection for those people who need it most ...
0012	Local Government Reform (LGR) implementation Plan – Failure to implement reforms	16	<u>Matt Gladstone</u> <ul style="list-style-type: none"> <li>All current statutory requirements are being met</li> <li>Member development on the LGR is in place</li> </ul>	6	All Priorities

No	Risk	Pre Controls 1-25	Lead officer Key Actions/Updates	Post Controls 1 -25	Links to Corporate Priorities
0013	Failure to commission services that will meet the needs of communities effectively and / or achieve efficiency savings.	12	<u>Matt Gladstone</u> <ul style="list-style-type: none"> <li>High level reviews are being carried out</li> <li>Re-commissioning of Children's Services to achieve VFM and improved commissioning and procurement practice</li> </ul>	6	Priority 3 - Care and protection for those people who need it most ...
0029	Highway Maintenance	12	<u>Karl Battersby</u> <ul style="list-style-type: none"> <li>Approval given for additional funding</li> <li>Target of 5% increase in efficiency by May 2011</li> <li>Implementation of new working arrangements wef 1 July 2011 is resulting in improvements in operational efficiency now being realised s</li> <li>£3m prudential borrowing in place which will be drawn down over 3 years</li> </ul>	6	Priority 5 Improving the Environment
0002	Failure to deliver the waste management strategy	12	<u>Karl Battersby</u> <ul style="list-style-type: none"> <li>PFI project plan in place</li> <li>Financial closure Summer 2011</li> <li>Outline planning permission on preferred site due autumn 2011</li> </ul>	6	Priority 5 Improving the Environment
0024	Community Stadium – failure by RUFC to secure funding to develop the site and construct the stadium	12	<u>Karl Battersby</u> <ul style="list-style-type: none"> <li>Site purchased</li> <li>Outline Planning permission granted</li> <li>RUFC selected contractor</li> </ul>	6	Priority 4 Helping to create safe and healthy communities



No	Risk	Pre Controls 1-25	Lead officer Key Actions/Updates	Post Controls 1 -25	Links to Corporate Priorities
0001	Civic Building Accommodation not fit for purpose	12	<u>Karl Battersby</u> <ul style="list-style-type: none"> <li>• Building completed</li> <li>• First decants scheduled for November</li> </ul>	2	Priority 5 Improving the Environment
0025	Civic Centre –WorkSmart Project	9	<u>Karl Battersby</u> <ul style="list-style-type: none"> <li>• Effective leadership by departments adapting to WorkSmart</li> <li>• Project now led by Strategic Director EDS</li> <li>• Pressures on timescales of EDRMS and management of decant program, leading to re-scheduling of EDRMS project</li> </ul>	4	Priority 5 Improving the Environment

1	<b>Meeting:</b>	<b>CABINET</b>
2	<b>Date:</b>	<b>19<sup>th</sup> October 2011</b>
3	<b>Title:</b>	<b>Draft Response to Government Consultation on the Localisation of Business Rates</b>
4	<b>Directorate:</b>	<b>Financial Services</b>

## 5 Summary

The report summarises the Government's proposals for the Localisation of Business Rates and their implications for Rotherham. Attached as an appendix are the Council's proposed response to the Consultation papers issued in July and August.

## 6 Recommendations

**Cabinet is asked to:**

- **Note the contents of this report; and**
- **Approve the draft response to the DCLG Consultation Paper on the Localisation of Business Rates.**

## 7 Proposals and Details

- 7.1 The DCLG published a Consultation Paper outlining Proposals for Business Rates Retention on 18<sup>th</sup> July followed by a series of 8 technical papers on 19<sup>th</sup> August. The Consultation Paper requested responses by 24<sup>th</sup> October and the Council's draft response is attached as an appendix to this report. The response has been considered by the Self Regulation Select Commission (12<sup>th</sup> October) prior to being submitted to the DCLG.
- 7.2 **The Present System** - Business Rates are calculated based on a rateable value using a rates multiplier - currently 43.3p - which is set nationally by the Government and increased annually in line with RPI. Rateable values are re-assessed every 5 years (by the Valuation Agency) - the next review is due in 2015. **The current proposals do not change the way that business rates are calculated. The proposals should not affect businesses paying rates.**
- 7.3 **Proposed Changes** - The Government's stated policy objective is to provide a financial incentive for councils to promote local economic growth over the long term - under the new regime authorities with increases in their rates tax base and revenues should gain from the scheme whilst those with declining business rates income will lose.
- 7.4 Currently, all business rates income collected by billing authorities, like the Council, is pooled nationally and redistributed to authorities as part of the Formula Grant System. **Under this System, the Council receives more from the rates pool than it pays in** - as the table below shows.

Rotherham	2009/10 £m	2010/11 £m	2011/12 £m (est.)
Payment to the National Business Rates Pool	64.9	64.4	64.6
Payment received from the National Business Rates Pool	96.6	107.7	94.1
<b>Difference</b>	<b>-31.7</b>	<b>-43.3</b>	<b>-29.5</b>

- 7.5 Previous, preliminary concerns that the Council could lose out have been allayed by guarantees that authorities will, initially, receive the **same level of funding** as at present. The proposed scheme will take effect from 2013/14 - for the first 2 years the national spending control totals announced in the Comprehensive Spending Review (CSR) 2010 will continue, which planned for reductions in Formula Grant in both 2013/14 and 2014/15.
- 7.6 **The proposed business rates scheme will operate as follows:**

**Funding Baseline** - The scheme will provide authorities with an initial baseline level of funding derived from the 2012/13 Formula Grant allocations. In determining the National Baseline Government will make an adjustment to fund the **New Homes Bonus Scheme** and continue to provide Police Authorities with a Formula Grant allocation which includes a payment from the National Business Rates Pool. Fire Authorities may also be treated this way.

**Tariffs and Top-ups** – a system of tariffs and top-ups will be introduced. Authorities with business rate income greater than their funding baseline will pay a tariff and for those authorities whose income is below the baseline will receive a top-up to bring their income up to the level of their assessed need i.e., the baseline. **Rotherham will fall into the top up category.**

The Consultation Paper sets out options for adjusting tariffs / top ups over time – e.g., indexing them to movements in the RPI (which would broadly benefit top-up authorities) or fixing them in cash terms - which generally benefits tariff authorities.

The actual funding a council will receive will, however, be dependent upon whether the Council collects more or less business rates than that assumed in the baseline.

**Resetting the system** - the baseline figure could (over time) no longer reflect service needs in an area (e.g. as a result of population movements). Having a reset mechanism should help keep resources broadly in line with need (the baseline). The Government is seeking views on how this mechanism should work.

**A safety net** – will be in place to protect authorities from year on year volatility or longer term decline in Business Rates income (for example due to the loss of a major business). This will be funded by a **levy system** on disproportionate growth in rates, which would scale back the amount of resources that can be retained locally. The levy may also be used to fund other grants to authorities. A range of options for both the levy and the safety net are being considered.

**Pooling** - There is also provision for authorities to form pools with each other voluntarily on a regional basis. Pools would be able to decide for themselves how they distribute revenue amongst their members. The potential benefits of pooling include:

- Enabling groups of authorities to collaborate to achieve additional increases in growth by taking advantage of economic efficiencies;
- Minimise the risk of developments being transferred between authorities; and
- Helping authorities manage volatility in income by sharing budget fluctuations across a wider area.

**Other features of the scheme** – there are arrangements for protecting Government Approved Enterprise Zones to retain all business rates growth within the zone, for 25 years, to support the LEP priorities.

**Tax Increment Financing (TIF)** - although there will still be provision for TIF within the system, the current proposals could make it less attractive as resetting the baseline and placing a levy on rates growth to fund the safety net could reduce the longer term income streams available to support TIF schemes.

## 7.7 Initial implications for Rotherham

As authorities' funding levels for 2012/13 were guaranteed in the 2010 Spending Review, **the proposals do not at present affect the Council's 2012/13 budget projections.** With respect to later years (2013/14 onwards), the proposals are complex with many issues and options interacting to give a

wide range of possible funding allocations, which will need to be **fully assessed** and fed into the Council's MTFs once the Scheme details are finalised.

Based on Rotherham being a **top up** authority, it has been possible to date to carry out some initial modeling based on 2 options:

- 1. Indexing the baseline top up by RPI; and**
- 2. Fixing the baseline top up as a cash amount that does not change.**

The Government is seeking views on these options.

Under Option 1, first estimates suggest that the Council over the financial years 2013/14 and 2014/15 could receive up to £12m more than under the current Formula Grant System and up to £4m more under Option 2.

Based on historic business rate growth patterns Rotherham is unlikely to be affected by either the levy on disproportionate growth or the safety net payment mechanism.

## **7.8 Significant Issues and concerns for Rotherham**

**Damping Mechanism** - a key element of the baseline calculation is the level of need within an authority. It is planned to continue to use Formula Grant to assess this. However, the current Formula Grant system operates a system of floors and ceilings to damp year on year grant changes.

Rotherham's grant increase is capped to fund guaranteed minimum increases in funding for other authorities. It is estimated that Rotherham has lost **£2.3m** to the damping mechanism in the current financial year and that it will lose **£2.0m** in 2012/13. The DCLG is currently "not minded" to adjust the business rates localisation to remove the effect of the damping mechanism. **This will lock Rotherham into a reduced needs assessment that means the funding baseline for the Scheme will not fully reflect a fair assessment of need.**

Under the proposals a reset mechanism should ensure resources and need do not move out of alignment. Details of how this mechanism may work are not known.

**Enterprise Zones** - The treatment of Enterprise Zones may also disadvantage Rotherham – the recently announced zone in the borough will be excluded from the new system at a time when it is likely that the majority of the growth in rates income will occur within the zone. Any business rates growth within the zone will be retained by the LEP.

### **Other potential concerns –**

- The timescales for the introduction of the new system are too short and that a major change in local authority funding is being rushed.
- The proposals leave many significant decisions: (for example the timing of resets, the amount of rates income set aside to pay for other grants) to the discretion of ministers.
- An authority's potential to generate rates income does not necessarily relate to its service need. Furthermore the model does not take account of other income sources such as Council Tax, fees and charges and

New Homes Bonus and there is a risk that authorities may be disadvantaged on all counts - in terms of rates growth, Council Tax and New Homes Bonus.

- The current proposals lack provisions to support growth in weaker economies and regions.

### 7.9 Response to Consultation

The initial consultation paper and further 8 technical papers have asked 96 questions of local government - attached as an appendix is the Council's response to the consultation. The Council's response highlights the issues and concerns with the overall operation of the scheme outlined above, rather than addressing technical issues which will be the subject of further discussions as the new system is implemented.

- **The new system should not be based on damped grant** - as this is not a fair assessment of spending need.
- **Assessed Need should be re-assessed and baselines updated on a regular basis** allowing the system to be "reset" and avoiding a divergence between resources and spending requirements. The timing of resets should be agreed and fixed.
- **Tariffs and top-ups should be up-rated in line with RPI increase** in the rates multiplier.
- **The scheme should include measures to assist areas of need and limited potential to generate economic growth.**
- **Police and Fire Authorities should continue to receive Formula Grant allocations for the present.**
- **The Council supports the proposed levy on business rates growth** in order to support the overall system and to assist authorities with restricted capacity to generate rates growth.

### 8. Finance

The financial issues are discussed in section 7 above.

### 9 Risks and Uncertainties

As indicated, the proposals are complex and set out a range of options which interact to generate a spectrum of possible funding levels which will need to be fully assessed once final details of the new scheme are determined by Ministers' following the consultation.

### 10. Policy and Performance Agenda Implications

Redistributed Business Rates from the National Pool currently comprise the largest element of Formula Grant funding received by the Council - changes in their distribution could have significant implications for the Council's future financial position.

**11. Background Papers and Consultation**

- Consultation Paper Localising support for council tax in England DCLG 2<sup>nd</sup> August and Technical Papers
- Briefings from the Local Government Association, SIGOMA and Local Government Futures.

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# ROTHERHAM MBC

## LOCAL GOVERNMENT RESOURCES REVIEW CONSULTATION – PROPOSALS FOR BUSINESS RATES RETENTION

Rotherham MBC welcomes the opportunity to comment on the proposals for the retention of Business Rates. The Council is an active member of bodies like SIGOMA and Local Government Yorkshire and Humber and would broadly endorse their comments on the proposals.

Although the Council is supportive of the objectives of increasing local financial autonomy and promoting local decision making and accountability, the current proposals give rise to significant concerns on the Council's part.

Firstly, as the proposed system stands, the Council has significant worries about its fairness, believing that there is a substantial risk that economically and socially challenged areas will be disadvantaged as the link between resources and need is not robustly established at the centre of the system and will not be regularly reviewed and maintained over time.

Secondly, the measures consider only one element of local government funding in isolation and do not take into account authorities' capacity to generate income from other sources such as the Council Tax and fees and charges. It should also be noted that authorities' need to spend on services is not linked to their capacity to generate economic growth; indeed the most needy authorities are most likely to have the lowest potential to generate additional rates income.

Thirdly, as the current proposals represent a major change in the way that local government is financed and are complex, the Council would ask that further time is allocated to assess the impact of such a substantial change and to avoid perverse incentives and unexpected results.

Fourthly, as currently constructed the measures allow ministers significant discretion (for example on the timing of re-equalisations), which runs counter to the claimed objectives of promoting local autonomy.

In the light of these general concerns the remaining comments follow the question format set out in the appendix to the report issued in July

### **Component 1: Setting the baseline**

*Q1: What do you think that the Government should consider in setting the baseline?*

The Council believes that it is essential that any baseline reflects key authorities' spending needs and their capacity to generate income from all sources, Business Rates, Council Tax and fees and charges etc. It will also be vital that this relationship is maintained over time and that measures are set in place to avoid a divergence between resources and need. Otherwise the proposals will have a significantly detrimental effect on disadvantaged areas and regions.

*Q2: Do you agree with the proposal to use 2012-13 formula grant as the basis for constructing the baseline?*

*If so, which of the two options at paragraphs 3.13 and 3.14 do you prefer and why?*



The Council does not consider that 2012/13 Formula Grant allocations represent a valid basis for the construction of a baseline. It is important that the baseline reflects the most up to date assessment of need. Current allocations have been subject to the “floors and ceilings” damping mechanism which diverts funds from authorities like Rotherham with high levels of need to areas with lower need and lower deprivation. Failure to adjust for damping would effectively lock in shortfalls in funding for areas with high levels of assessed need, fixing their disadvantage under the current system.

**Component 2: Setting the tariffs and top ups**

*Q3: Do you agree with this proposed component of tariff and top up amounts as a way of re-balancing the system in year one?*

The proposed method would appear logical, providing the right option is chosen regarding the annual adjustment of the tariff and top-up amounts. i.e. in order not to penalise top-up authorities, the top up needs to be increased by RPI.

It is important to note that there is unlikely to be a correlation between the level of need in an authority and its capacity to generate economic growth, which means that the proposed system carries a substantial risk that any balance between need and resources (and any resource equalisation between authorities) will not continue and over time, a mismatch will develop between spending need and funding.

*Q4: Which option for setting the fixed tariff and top up amounts do you prefer and why?*

The only option which offers any protection to the most vulnerable communities is to increase the top-up and tariffs by RPI. As Business Rates are increased in line with the RPI annually without any input from local authorities any additional resources generated by this increase in rates charges should be used to ensure that resources remain in line with need. Without such an up-rating the level of resources available to tariff and top-up authorities would diverge, disadvantaging top-up authorities. The Council is therefore opposed to option 2 and supports option 1 - to up-rate the year one tariff and top-up amounts by the Retail Price Index.

**Component 3: The incentive effect**

*Q5: Do you agree that the incentive effect would work as described?*

The Council is unclear how the incentive effect would operate. Rotherham has always been eager to encourage business growth (as our work on the newly announced South Yorkshire Enterprise Zone shows) but the Council recognises that success in achieving such growth is often as much due to market forces as to local authority activity. The current proposals do not allocate resources to support weaker economies and to assist infrastructure investment and other developments which would support private sector development.

The Council is also concerned that the proposals would favour development in the business sectors which generate larger rate incomes (such as retail) rather than supporting longer term sustainable growth.

**Component 4: A levy recouping a share of disproportionate benefit**

*Q6: Do you agree with our proposal for a levy on disproportionate benefit and why?*

A levy on growth in order to support the system overall would appear essential if the system is to operate in a fair way.

*Q7: Which option for calculating the levy do you prefer and why?*

The proportional levy would ensure there is a more even level of incentive to all authorities. The flat rate levy favours tariff authorities, whilst the banded level creates cliff edges and fails to take into account the variation within each band. The Council would prefer the proportional levy, but with an amendment for top up authorities.

The amendment would, be effectively a negative levy, in order to ensure the ratio between rates growth and budget growth is maintained for all authorities for any level of growth. For example, (for a 1 to 1 ratio) for tariff authorities a 1% growth in NDR would trigger a 1% growth in budget. However, for top-up authorities a 1% growth in NDR will only yield a 1% of the needs baseline as a proportion of NDR baseline. This, depending on the authority, will range somewhere between 0% and 1% of budget growth. Without adjustment top-up authorities are disadvantaged. The resources for this adjustment would be raised from the levy.

*Q8: What preference do you have for the size of the levy?*

The levy must be at a level to provide stability and certainty. It might be preferable to be prudent and initially set a higher stable/fixed levy, which would avoid the need for increases in future years. However, if an adequate incentive is to be provided, it is accepted that the levy must be set to allow growth generated by genuine effort to deliver additional resources, whilst still raising adequate resources for the safety net.

*Q9: Do you agree with this approach to deliver the Renewable Energy commitment?*

The Council would favour encouraging Renewable Energy projects, however as stated above there are concerns that the business rate yield from such projects in comparison to other infrastructure developments may provide a perverse disincentive.

*Q10: Do you agree that the levy pot should fund a safety net to protect local authorities:*

*i) whose funding falls by more than a fixed percentage compared with the previous year (protection from large year to year changes);*

*or*

*ii) whose funding falls by more than a fixed percentage below their baseline position (the rates income floor)?*

The present system of floors and ceilings adjustment to formula grant has set a precedent and protection for those authorities who's business rate income fluctuates annually – frequently as a result of factors outside their control – must be a fundamental element of the proposed system if some fairness is to be included and the most vulnerable of our communities protected.

*Q11: What should be the balance between offering strong protections and strongly incentivising growth?*

Rotherham Council believes that the users of local services should not be penalised through falling funding (and subsequently reduced quality and provision of vital services) for the failure of their area to increase rates income. The current system of floors and scaling of formula grant has set a precedent in stressing the importance of stability at the cost of those authorities like Rotherham with increasing relative need.

The new rates retention system should be consistent in terms of priorities and place stability (for local service provision) over incentives that may only benefit a relatively

low number of high growth authorities. Therefore, we support a system which offers strong protection to local service users.

*Q12: Which of the options for using any additional levy proceeds, above those required to fund the safety net, are you attracted to and why?*

The Council believes that it is essential that any remaining monies need to be returned to local government; however the Council recognises that all the options outlined in the consultation paper have some merit.

That said, the Council would prefer to see the resources used to support revenue expenditure in areas of low growth - this should be done via a formula, rather than a bidding/projects based approach that allocates resources based on subjective decisions. This would provide some much needed funding to authorities that could see a longer term decline in central government support, due to factors largely beyond their control i.e. government decisions around Enterprise Zones, growth areas and national and international economic conditions.

*Q13: Are there any other ways you think we should consider using the levy proceeds?*

If this issue is not addressed in setting the baseline, the proceeds of any additional levy pot could be used to compensate authorities that are currently above the floor for the loss in resources that will be incurred if the needs baseline is determined after floors and scaling. This would provide support for those authorities with resource allocations which do not currently match their needs. As these councils are also those with lower tax bases such investment would provide additional resources to support a focus on economic regeneration.

#### **Component 5: Adjusting for revaluation**

*Q14: Do you agree with the proposal to readjust the tariff and top up of each authority at each revaluation to maintain the incentive to promote physical growth and manage volatility in budgets?*

As there is no connection between the level of NDR and needs for services in areas it would be unfair for such changes - imposed on local authorities – not to be adjusted for within the overall system. There is at the same time a strong case for reviewing and updating the needs of authorities regularly.

*Q15: Do you agree with this overall approach to managing transitional relief?*

It is accepted that the general principle should be that a local authority should not be disadvantaged from transitional relief provided by Government determination.

**Component 6: Resetting the system**

*Q16: Do you agree that the system should include the capacity to reset tariff and top up levels for changing levels of service need over time?*

The Council considers there is a need to realign the system over time to reflect changing NNDR growth patterns and levels of service need. Given that, it is therefore essential that the proposed system include the capacity for regular resetting. Without regular resets, the gap between levels of resources compared with need will only widen and place at risk the delivery of services.

It is important that these resets occur with sufficient frequency to prevent the turbulence that may occur through realigning need and resources representing a problem - every three years would appear reasonable.

The Council also favours SIGOMA's suggestion that such resets should, as a matter of principle, also include the ability to generate resources locally from Council Tax

*Q17: Should the timings of reset be fixed or subject to government decision?*

In order to promote certainty, resets should be undertaken around a set timetable, which should be included within the legislation. This would minimise the risk of resets being undertaken for political reasons that would undermine the localisation agenda.

Fixing the reset period would allow all authorities to benefit from growth over time but offer the certainty for areas with slow growth (which may be beyond their control) that they will not suffer unduly and protect services.

*Q18: If fixed, what timescale do you think is appropriate?*

The Council supports resetting the system every three years which would be in line with recent multi-year settlements. An alternative would be to align resets with the Government's spending reviews and the revaluation timeframe to ensure minimal turbulence at other points in the cycle.

*Q19: What are the advantages and disadvantages of both partial and full resets? Which do you prefer?*

A partial reset would allow local government to retain the gains it has achieved through NDR growth and spread those gains more evenly across local authorities. However, over time this risks of giving the strongest economic areas an advantage over those with weaker growth. A full reset would offer the stability needed nationally, while also allowing those who do experience growth to benefit. The most important aspect of the reset will be to update the needs baseline, in order to reflect changes to relative need during the period when the system was fixed and ensure that resources and need remain in balance.

*Q20: Do you agree that we should retain flexibility on whether a reset involves a new basis for assessing need?*

No, as indicated, the updating of the needs baseline is an essential element of any reset. A commitment from government to undertake this adjustment would provide greater certainty to local authorities and would reduce the element for ministerial discretion and political decisions in the system.

The current basis for assessing need has developed through intense scrutiny from local and central government (at Settlement Working Group and Consultations). Whilst the system is not without flaws, and there are always improvements to be made, to move away from the current system would result in a significant change to the ability to determine relative need in the intervening period. The Council would prefer to see the current system of making adjustments to the formulae based on emerging evidence to be maintained.

### **Component 7: Pooling**

*Q21: Do you agree that pooling should be subject to the three criteria listed at paragraph 3.50 and why?*

The criteria would appear logical and reasonable. Rotherham Council believes that it is particularly important pooling should be voluntary.

*Q22: What assurances on workability and governance should be required?*

Aside from assurances regarding systems etc, it is important that all members of the pool can demonstrate a thorough understanding of the consequences of the various scenarios that could occur.

*Q23: How should pooling in two tier areas be managed? Should districts be permitted to form pools outside their county area subject to the consent of the county or should there be a fourth criterion stating that there should always be alignment?*

Rotherham Council does not have a particular view on this matter but would, as a matter of principle, wish to see maximum flexibility for two tier areas to determine what is appropriate for them.

*Q24: Should there be further incentives for groups of authorities forming pools and if so, what would form the most effective incentive?*

There should be no additional incentives attached to pooling. Authorities that choose to pool will benefit from reducing their own risk of lower NDR receipts due to volatility and increases in economic activity and growth which will bring additional resources. Encouraging pooling through incentives may result in pools being created only to exploit the incentives rather than to encourage authorities to work together to achieve growth and share the associated risks.

### **Impact on non-billing authorities**

*Q25: Do you agree with these approaches to non-billing authorities?*

The proposed treatment of Police Authorities in Metropolitan arrears appears reasonable and the Council would argue that single purpose Fire and Rescue Authorities should be treated in a similar way.

**CHAPTER 4: INTERACTIONS WITH EXISTING POLICIES AND COMMITMENTS**

**New Homes Bonus**

*Q26: Do you agree this overall approach to funding the New Homes Bonus within the rates retention system?*

Given the constraints of the new system, the approach proposed would appear logical, however the proposals have the capacity to significantly disadvantage areas with constraints on development. Areas where new homes are built will receive a double reward, increases in Council tax and New Homes Bonus payments whilst areas with limited developments will not benefit from additional Council Tax income and will have a reduction in core funding.

Whatever approach is used it will be important that the timing of announcements regarding funding is linked to other announcements, in order to provide local authorities with sufficient time to set budgets.

*Q27: What do you think the mechanism for refunding surplus funding to local government should be?*

The distribution through the baseline is a fair method that brings certainty and stability to funding projections.

*Q28: Do you agree that the current system of business rates reliefs should be maintained?*

If the localisation of Business Rates is to have no impact on Business Ratepayers, it would seem reasonable not to make changes to the current system of rates reliefs. Maintaining the current system would provide certainty and consistency for ratepayers. The Council would however agree with the caveat raised by SIGOMA that the Government should provide assurances that no local authority will lose resources as a result of Government decisions on rates reliefs.

**CHAPTER 5: SUPPORTING LOCAL ECONOMIC GROWTH THROUGH NEW INSTRUMENTS**

Rotherham Council would urge that the interaction of the proposals on business rates with other means of supporting local economic growth should be considered carefully. For example, the treatment of Enterprise Zones: rates growth in these areas will be excluded from the new system and retained by LEPs. However, it is likely that the majority of the growth in rates income in areas with Enterprise Zones will occur within the zone, limiting those authorities' ability to benefit from the current proposals.

*Q29: Which approach to Tax Increment Financing do you prefer and why?*

Rotherham Council favours Option 2. If TIFs are to succeed, authorities need assurances that revenues will be protected. However, it is recognised that the potential exists for authorities to exploit TIFs in order to avoid the levy on disproportionate growth. To counter this, restrictions on the number and value of TIFs nationally should be put in place. For example, no authority could exceed more than a set percentage of its baseline within a TIF scheme.

*Q30: Which approach do you consider will enable local authorities and developers to take maximum advantage of Tax Increment Financing?*

As indicated option 2 would be the most effective - however there is a need to ensure that any system balances interaction with other incentives for growth with the need to ensure that authorities' income streams are in balance with their need to spend.

*Q31: Would the risks to revenues from the levy and reset in option 1 limit the appetite for authorities to securitise growth revenues?*

The levy and reset proposals are essential elements of the scheme which enable resources and need to be kept in balance and provide support to disadvantaged areas.

*Q32: Do you agree that pooling could mitigate this risk?*

Pooling would mitigate some risks associated with the rates retention scheme, but the extent to which it would offset option 1 is questionable. It should also be noted that the benefits of pooling would be there for authorities with or without TIFs.

*Q33: Do you agree that central government would need to limit the numbers of projects in option 2? How best might this work in practice?*

The Council would support limiting the number of projects under option 2, possibly by no authority being allowed to exceed more than a set percentage of its baseline within a TIF scheme. Such opportunities could also be targeted at low growth/low tax base Authorities.

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET</b>
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<b>1.</b>	<b>Meeting:</b>	<b>CABINET</b>
<b>2.</b>	<b>Date:</b>	<b>19 October 2011</b>
<b>3.</b>	<b>Title:</b>	<b>Draft Report – Preliminary Flood Risk Assessments for Rotherham (June 2011)</b>  <b>All Wards</b>
<b>4.</b>	<b>Programme Area:</b>	<b>Environment and Development Services</b>

### **5. Summary**

To provide a Preliminary Flood Risk Assessments for Rotherham in accordance with the requirements the Flood Risk Regulations 2009 and the European Floods Directive, which aims to provide a consistent approach to managing flood risk across Europe.

### **6. Recommendations**

- 6.1 that the contents of the Draft Preliminary Flood Risk Assessment for Rotherham be noted (refer to Appendix A).**
- 6.2 that the Preliminary Flood Risk Assessment for Rotherham be submitted to Defra before December 2011 for approval.**
- 6.3 that the Final Preliminary Flood Risk Assessment for Rotherham be published for public information.**



## 7. Proposals and Details

The Flood Risk Regulations 2009 implement the requirements of the European Floods Directive, which aims to provide a consistent approach to managing flood risk across Europe. The regulations impose new duties on the Council as the Lead Local Flood Authority (LLFA) for Rotherham, including the responsibility for managing local flood risk in particular from ordinary watercourses, surface runoff and groundwater.

Under the requirements of the Flood Risk Regulations 2009 and Flood and Water Management Act 2010, the Lead Local Flood Authorities are responsible for undertaking a Preliminary Flood Risk Assessment for local sources of flood risk, primarily from surface runoff, groundwater and ordinary watercourses. As a unitary authority, Rotherham Metropolitan Borough Council is the Lead Local Flood Authority for the Borough of Rotherham.

The Preliminary Flood Risk Assessment is a high level screening exercise which involves collecting information on past (historic) and future (potential) floods, assembling it into a Preliminary Flood Risk Assessment report, and using it to identify Flood Risk Areas which are areas where the risk of flooding is locally significant. The following table summarises the main steps.

1	Set up governance & develop partnerships
2	Determine appropriate data systems
3	Collate information on past & future floods and their consequences
4	Determine locally agreed surface water information
5	Complete preliminary assessment report document
6	Record information on past & future floods with significant consequences in a spreadsheet
7	Illustrate information on past and future floods
8	Review indicative Flood Risk Areas
9	Identify Flood Risk Areas
10	Record information including rationale

The approach consists of a six year cycle of planning based on a four stage process of:

- 1 Undertaking a Preliminary Flood Risk Assessment (PFRA).
- 2 Identifying flood risk areas.
- 3 Preparing flood hazard and risk maps.
- 4 Preparing flood risk management plans.

The Draft Preliminary Flood Risk Assessment completed by Rotherham in June 2011, identifies over 8,500 residential properties in Rotherham as being potentially at risk from surface water flooding, compared with less than 300 properties at risk of flooding from rivers. 106 areas have been identified for prioritisation in subsequent flood risk management planning.

Defra has defined all Indicative Flood Risk areas as areas that are deemed to be of national significance and are defined as clusters numbering in excess of 30,000 people at risk of surface water flooding.

Rotherham has no indicative flood risk areas which are deemed to be of national significance. The only flood event considered to be significant on a European scale and included on the reporting spreadsheet is the floods of June 2007

Under the requirements of the Floods and Water Management Act 2010, Rotherham as the Lead Local Flood Authority will develop and maintained its own Local Flood Risk Strategy. The general principles of the Local Flood Risk Strategy:

- Community focus & partnership working
- Sustainability
- Risk Based Approach
- Proportionality
- Multiple benefits
- Beneficiaries allowed to invest in local flood risk management

Surface water flood modelling has been carried out by the Environment Agency to indicate the broad areas likely to be at risk of surface water flooding. However, the Environment Agency surface water flood maps are not suitable for identifying whether an individual property will flood, this is because information on floor levels, construction characteristics or designs of properties is not considered.

The surface water modelling was carried out by applying rainfall to a digital terrain model, using 2 different methodologies, namely Flood Map for Surface Water (FMfSW) and the Areas Susceptible to Surface Water Flooding (AStSWF). Both the Flood Map for Surface Water and the Areas Susceptible to Surface Water Flooding were found to accurately represent the areas at higher risk. The Flood Map for Surface Water FMfSW was considered to be marginally better overall, so it was decided to use this map as locally agreed surface water information. The Preliminary Flood Risk Assessment for Rotherham does not consider flooding from main rivers, reservoirs or as a consequence of sewer blockages.

The programme for the final completion of the Final Preliminary Flood Risk Assessment for Rotherham is as follows:

- 21 June 2011, the Council submitted the Draft Preliminary Flood Risk Assessment for Rotherham to the Environment Agency, for checking.
- 9 September 2011, the Draft Preliminary Flood Risk Assessment for Rotherham will be presented to the Overview and Scrutiny Management Board.
- December 2011 the Final Preliminary Flood Risk Assessment for Rotherham will be submitted to Defra for approval.

### **8. Finance**

The Council's Streetpride, Drainage Team have now submitted the Draft Preliminary Flood Risk Assessment for Rotherham to the Environment Agency for checking. All minor amendments to the Draft Preliminary Flood Risk Assessment will be carried out by the Drainage Team, and submitted to Defra by December 2011 for approval. Defra has provided the Council with funding for the sum of £20,000 for the completion of the Final Preliminary Flood Risk Assessment for Rotherham.

In January 2011 the Government's Environment Secretary Caroline Spelman, confirmed that in 2011/2012, grants for the sum of £21 million rising to £36 million for 2012/2013 and subsequent years, would be made available to help Councils protect and support their own community when managing flood risk. In addition the funding will fully support Lead Local Flood Authorities in developing local flood risk management strategies; surface water management plans and priority actions; mapping, running overview and scrutiny committees; and administering consents for private changes to ordinary watercourses.

Defra allocated £120.2K in 2011/2012 to Rotherham through the Council's Area Base Grant, which will enable the Council to carry out its new duties under the Floods and Water Management Act 2010. A further £156.3K in 2012/2013 and subsequent years will be allocated to the Council to continue in its duties under the Act.

Defra has announced that the funding allocated to Lead Local Flood Authorities should be in addition to the funding provided by Defra through the Formula Grant funding for Flood and Coastal Erosion Risk Management within the Environmental, Protection and Cultural services. It is likely that the Council will be audited by Defra in the future.

Please note any requirements for additional revenue funding are not reflected in the current medium term financial strategy.

### **9. Risks and Uncertainties**

Under the Flood and Water Management Act 2010, the Council as the Lead Local Flood Authority for Rotherham, is committed to carry out its new duties for local flood risk management, including surface water throughout the Borough of Rotherham. Local knowledge in the management of surface water and the flood risk areas in Rotherham is important. It is likely that there will be additional pressures on the Council's resources to carry out its duties as the Lead Local Flood Authority, under the Act.

The Government funding provided is part of the £2.1 billion the Government expects to spend on flood and coastal erosion risk management by 2015. Local authorities also receive funding under formula grant arrangements administered by Communities and Local Government. The Government expects local authorities to spend about £100million on flood and coastal erosion risk management supported through formula grant arrangements. The grants provided by Defra for Rotherham, will be required to fulfil the Council's duties under the Act.

The Environment Agency surface water flood maps show various flood risk areas throughout the Borough of Rotherham. In some cases the Council has no records of flooding in these predicted flood risk areas, as indicated on the maps. These maps will be published for public information as part of the Preliminary Flood Risk Assessment for Rotherham. This could lead to confusion and uncertainty with some residents whose properties will now be shown within flood risk areas, although they may not have experienced or be aware of any potential flooding to their property or surrounding area.

It is likely that there will be additional pressures on the Council to obtain future funding to carry out some of the improvement works identified in the Council's future surface water plans and reports.

The majority of the surface water overland flooding problems are from privately owned land and will require the full corporation of the landowner(s). The duty of all riparian owners (i.e. landowners) is to ensure that all flows within a watercourse are not impeded. The Council has a duty to ensure that the watercourses are satisfactorily maintained.

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

- (1) Floods and Water Management Act 2010
- (2) Flood Risk Regulations 2009

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

Appendix A – Rotherham Metropolitan Borough Council, Draft Report for Preliminary Flood Risk Assessment June 2011, including Maps, Preliminary Assessment Report Sheet, and Preliminary Flood Risk Assessment Checklist.

The issues contained within this report support the Council's main Corporate Priorities.

Ward Members in the Wards listed above have not been consulted.

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet</b>
<b>2.</b>	<b>Date:</b>	<b>19 October 2011</b>
<b>3.</b>	<b>Title:</b>	<b>A report to summarise the consultation carried out regarding rugby development on Herringthorpe Playing Fields</b>
<b>4.</b>	<b>Directorate:</b>	<b>Environment and Development Services</b>

## **5. Summary**

**This report updates Cabinet on progress relating to the potential lease of an area of Herringthorpe Playing Fields to Rotherham Rugby Club Ltd. it summarises the consultation responses received following a programme (between April and August 2011) which targeted passive and active users of the site as well as local residents.**

## **6. Recommendations**

**That Cabinet approves the proposal from the Rotherham Rugby Club Ltd. to lease an area of Herringthorpe Playing Fields at Herringthorpe for the exclusive purpose of rugby development subject to appropriate mitigating actions (as outlined) being implemented.**

## 7. Proposals and Details

This report provides an update to an earlier report to cabinet (23<sup>rd</sup> March 2011) regarding a proposal from the Rotherham Rugby Club Ltd (the Club) to lease an area of the Herringthorpe Playing Fields. Their aim is to develop 3 rugby pitches for training, competitive matches and community development. The Club is a self-financing company limited by guarantee. Though the Club has some links with Rotherham Titans, which the Council supported with a £50,000 one year loan, there is no financial or legal relationship between the two. Approving this proposal would encourage the expansion of amateur rugby in the Borough and the improvement of a major sports site in the borough. The proposal does not affect current pitch provision on site as three additional pitches will be created by slightly rearranging the layout of the existing pitches.

The Club needs a minimum 21 year lease which is a funding requirement to safeguard this level of investment (greater than £50,000). We are advised that the Rugby Football Union is likely to support a conditional funding application from the Club. They have held discussions with the Planning Service, which has not identified any major issues relating to the proposal. A formal planning application would follow in due course if the proposal is approved.

In order to test levels of public support, a programme of consultation has been carried out. This targeted local residents, pitch users, the two area assemblies and members from the surrounding wards. It consisted of a press release, a leaflet drop to householders surrounding the affected area and distribution map (annex 1 & 2), a website and email post box backed up by a postal mail box and advice facility. It included a mail out to site user groups and a meeting at the town hall hosted by Cllr Dodson, chair to the Rotherham South Area Assembly and attended by Cllr Currie chair of Wentworth South Area Assembly, along with ward members from the affected wards. The Town Hall meeting was held on 14th June at the Town Hall at 17:00. Consultation commenced on 1st April 2011 and closed at the 31<sup>st</sup> August 2011.

### Summary of the consultation responses

A total of 76 people responded both online and by post. In addition the Area Assemblies Rotherham South and Wentworth South hosted a meeting at Rotherham Town Hall where a total of 60 members of the public attended the meeting including 6 children. A number of people phoned in for further information.

Of the responses received by email and by post, 19 were supportive while 57 people were opposed to the proposals. Key objection raised came mostly from immediate residents and can be summarised as follows:

- **Loss of amenity** – loss of access to the pitches for casual use by walkers, and by children and young people for informal games. Access will be prevented by the proposed fencing.  
Comment: Of the existing green space that makes up the Herringthorpe Playing Fields over 90% remains unaffected by these proposals. There will be little loss of amenity. The footprint of the old Leisure Centre is not included in this calculation.

- **Visual** – two issues were highlighted. Fencing and lighting will be visually intrusive. The fencing will break up the open nature of the fields and the lighting will shine through household windows at night time.

Comment: The proposed fencing will be over 25 metres from the nearest houses and will be limited to 1.8 metres in height. It will be of an open weldmesh construction covered in a green pvc coating. Modern fencing of this type blends into its surroundings and while it will be seen it is unlikely to be particularly intrusive (annex 3). The fencing would restrict access and is a condition of funding from the RFU.

Lighting will be on during the earlier part of the evening only (up to 9:30 pm). It is proposed that 15 meter high lighting columns would be installed around the three pitches. The lighting columns would be situated a minimum distance of 52.7 meters from the nearest housing on Baddsley Moor Lane and 62.5 metres on Baddsley Street South. Lighting from the columns will be directional with a maximum value of 150.0 lux directed onto the pitches. The light pollution factor within 5 meters of the pitches drops to 5 lux and light pollution will be a maximum of 1 Lux when it reaches the nearest houses (an average street light is 10 Lux). Therefore it can be shown that light pollution will be very low away from the pitches (annex 4).

- **Wrong Location** – local residents would prefer to see the facility located at the other end of the site where the old leisure centre was situated.

Comment: This is not possible as cabinet has allocated this area to other uses.

- **Traffic** – residents have said that they are concerned about the problem of additional parking on local streets which are already congested, particularly on match days.

Comment: the club has calculated average increases in car movements relating to the activities on the three pitches throughout the week. It has developed a car parking plan and has issued its members with a car parking protocol to encourage a range of measures to deter members from parking at the site. These include car sharing and utilising 40+ parking spaces at the Clifton Lane grounds. Monitoring of levels of cars parking for mini-rugby training sessions identified an average of 12 to 13 cars session. Visiting junior sides are often accompanied by a core of parents who also provide transport for the team. There would be an average of a dozen or so visitors' cars when two junior sides are playing at home. These should usually be accommodated within the Clifton Lane site. Spectator numbers at the senior side league games tend to be very low and are generally limited to team coaches, replacement players and a small number of interested individuals, (average number 12 to 15 people in total but there can be as many as 50 to 60 people at an end of season important "play-off" match. For most match days visitors' cars will be accommodated within the Clifton Lane site (assuming that the Titans move to Millmoor), but there will undoubtedly be occasional times when street parking will need to be used. Clearly numbers will vary from week to week.

Whilst the Rotherham Titans do not have an agreement at Millmoor as yet and though they believe this will be concluded in time for next season nothing can be taken for granted. When a lease is agreed, it is the Titan's intention only to use Millmoor for competitive matches. They want to play Championship and Cup games there and would also want to promote the venue as a rugby playing centre (to play County and representative matches). As a result no training would take

place at that ground and with the anticipated transfer to Millmoor there will be a large net reduction of street parking on matchdays as Titan's home fixtures currently generate a large influx of cars.

The Titans intend to retain Clifton Lane as their base. They have their Community Foundation at Clifton Lane which has had a long term investment in facilities and infrastructure (computer suite, teaching rooms etc). The Foundation is critical to the long term stability of the Club as all players are involved in its activities which is seen as a benefit to the Rotherham community at large. In view of this the Titans will, for the foreseeable future, retain ownership and use of Clifton Lane. Because of this, it can be assumed that parking at the Clifton Lane Grounds will continue to be available to the Rotherham Rugby Club.

- **Inadequate Facilities** – the lack of toilet facilities will be an obvious cause of problems on site if the facility is developed.

Comments: The Club has indicated that it is willing to build toilet facilities into its proposals for the site. There is no proposal to provide changing facilities.

Comments from those in support of the proposal included the following points;

The proposed facility would provide a permanent base for amateur rugby for all ages in Rotherham. The council cannot afford investment in quality provisions. The development of the sports pitches by the Club should be applauded at a time when budgets are tight. Any initiative to support quality sport at a local level should be supported. Decent Rugby facilities for the junior and amateur game are long overdue and this proposal adds value to the local area. Schemes that encourage young people (and senior teams) to participate in sport have to be welcomed. Promoting exercise encourages healthy lifestyles. Rugby is an excellent way to keep fit while instilling morals and values. The chances of young people's involvement in anti-social activities are reduced through rugby - the values instilled will make them more likely to challenge anti-social behaviour.

Residents who are concerned about parking problems may be confusing this with the problems that occur on the Titans match days when 1200-1500 people descend on the area. This causes congestion on the side roads around Clifton Lane. Significantly lower numbers attend Phoenix training days. Parking should be no worse than when any local club, be it rugby, football or cricket, have fixtures on at Herringthorpe. Additionally the Club has access to parking facilities at Clifton Lane for 40 cars. Any disturbance caused through their parking should be minimal. Monitoring of car parking on Club training days took place recently and over a two day period there were an average of 12.5 cars and these were easily accommodated at Clifton Lane grounds.

Players have experienced a range of problems over the years which would be addressed by fencing provision. These include cars being driven through the middle of a junior training session, an off-road biker doing the same thing, the need to clear broken bricks and glass bottles prior to training / playing so that children have a safe area and poop-scooping pitches to make sure that they are clean.

The mitigation measured described above address the concerns of local residents: loss of amenity, visual impact, wrong location of facilities on site, traffic and



inadequate facilities. These are addressed above and do not have the impact feared by local residents. For these reasons and because rugby and any sport activity is beneficial to health, it is felt that these proposals should be supported.

## **8. Finance**

The Club is responsible for securing the funding for the development and has agreed to cover the Council's costs. A promise of funding by the Rugby Football Union has been given, through a combination of grant and an interest free loan, to be guaranteed by the Club's members. This funding is subject to satisfactory planning approvals and lease agreements being in place. There are no financial consequences to the Council of this development.

## **9. Risks and Uncertainties**

Subject to the outcome of member's considerations, the Club would next submit a planning application. If successful it will then seek funding for its proposals. If this were to be unsuccessful then there should be a clause giving both parties the option to cancel the lease agreement.

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

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

CSART – 9<sup>th</sup> March 2011

Cabinet – 23<sup>rd</sup> March 2011

Richard Waller - Legal Services

Jon Baggaley – Financial Services

Cabinet had previously approved disposal (and subsequent ringfencing of the Capital receipt) of the Leisure Centre site and Boswell St site on 20th January 2010 (minute no. C167).

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