

**COUNCIL MEETING
2nd November, 2011**

Present:- The Mayor (Councillor Wright) (in the Chair); Councillors Akhtar, Ali, Andrews, Atkin, Barron, Beck, Blair, Buckley, Burton, Currie, Dodson, Donaldson, Doyle, Ellis, Falvey, Fenoughty, Foden, Gilding, Gosling, Goulty, J. Hamilton, N. Hamilton, Havenhand, Hughes, Jack, Johnston, Kaye, Kirk, Lakin, License, Mannion, McNeely, Middleton, Nightingale, Parker, Pickering, Pitchley, Read, Roddison, Rushforth, G. A. Russell, P. A. Russell, R. S. Russell, Sangster, Sharman, Sims, Smith, Steele, Stone, Turner, Walker, Whelbourn, Whysall, Wootton and Wyatt.

A44 MAYOR FOR THE DAY

The Mayor was pleased to welcome Anna Taylor, the “Mayor for the Day” to the Council Meeting. Anna, aged eleven years and a pupil at Wath Comprehensive School gave a short speech on her day’s experiences. She formally opened the meeting.

A45 PRESENTATION OF AWARD

The Mayor and the “Mayor for the Day” were pleased to announce the excellent news that the that the Parking Services Team, led by Martin Beard, had been announced as the winner of the Effective Enforcement Award from Disabled Motoring U.K.

Congratulations were offered to all those involved in these achievements and for their hard work and dedication in preventing blue badge fraud.

A46 COUNCIL MINUTES

Resolved:- That the minutes of the meetings of the Council held on 14th September, 2011 be approved for signature by the Mayor.

Mover:- Councillor Stone

Seconder:- Councillor Akhtar

A47 COMMUNICATIONS

[1] The Chief Executive submitted the following petitions which had been referred to the appropriate Directorate for consideration:-

- From sixty-three residents of Broom Avenue, Rotherham requesting traffic calming on Broom Avenue.
- From seventy-one residents of Dinnington supporting development on brownfield land, but objecting to building on Green Belt land whilst any brownfield sites remain undeveloped.

[2] The Chief Executive submitted apologies for absence from Councillors Beaumont, Dalton, Hodgkiss, Hussain, Swift and Tweed.

A48 QUESTIONS FROM THE PUBLIC

A member of the public referred to the public having viewed the new "Town Hall" upgrading which had a £2.7 million cost modification. Councillors and staff only were allowed to view the new "Riverside" municipal offices before occupancy and asked why, when the public were expected to pay £3.2 million per year for thirty-five years, were they excluded?

The Leader reported that the rent for Riverside House was £2.93 million per annum, not £3.2 million.

The building was a construction site with public areas not handed over to the Council until the end of January, 2012 so it was not safe or practical for members of the public to visit. Nobody was being excluded.

The whole ground floor would be commissioned and opened to the public in stages from February to April, 2012 for access on a day to day basis. These facilities including a service centre, which was a one stop shop for the provision of many Council services and enquiries, a new library, including arts and performance space, a café, the registrars' service and social care conferencing.

An open day of some kind for members of the public to view one of the working wings would be arranged; the details of which would be forwarded to the member of the public.

In a supplementary question the member of the public expressed his wish to view what he described as "penthouse" offices.

The Leader believed that the member of the public had been misinformed as no such facility existed.

A49 STANDARDS COMMITTEE

Resolved:- That the reports and minutes of the meeting of the Standards Committee (Section B) (pages 8B to 11B) be adopted.

Mover:- Councillor Buckley

Seconded:- Councillor Gilding

A50 CABINET MINUTES

Resolved:- That the reports and minutes of the meetings of the Cabinet (Section C) (pages 40C to 62C) be adopted.

Mover:- Councillor Stone

Seconded:- Councillor Akhtar

A51 DELEGATED POWERS MEETINGS

Resolved:- That the reports and minutes of the meetings Cabinet Members as listed below be adopted:-

- Safeguarding Children and Adults – Pages 19D to 23D (Section D).

- Community Development, Equality and Young Peoples Issues – Pages 19E to 29E (Section E).
- Lifelong Learning and Culture – Pages 14F to 20F (Section F).
- Town Centres, Economic Growth and Prosperity – Pages 32G to 47G (Section G).
- Adult Social Care – Pages 25H to 31H (Section H).
- Safe and Attractive Neighbourhoods – Pages 17J to 27J (Section J).
- Health and Wellbeing – Pages 16K to 26K (Section K).
- Waste and Emergency Planning– Pages 7L to 10L (Section L).
- Deputy Leader and Organisational Change and Governance – Pages 6N to 7N .(Section N)

Mover:- Councillor Stone

Seconder:- Councillor Akhtar

A52 AUDIT COMMITTEE

Resolved:- That the reports and minutes of the meetings of the Audit Committee (Section P) (pages 15P to 17P) be adopted.

Mover:- Councillor Kaye

Seconder:- Councillor Sangster

A53 LICENSING BOARD

Resolved:- That the reports and minutes of the meetings of the Licensing Board (Section Q) (pages 9Q to 15Q) be adopted.

Mover:- Councillor Wootton

Seconder:- Councillor Barron

A54 HEALTH AND WELLBEING BOARD

Resolved:- That the reports and minutes of the meetings of the Health and Wellbeing Board (Section S) (pages 1S to 6S) be adopted.

Mover:- Councillor Wyatt

Seconder:- Councillor Akhtar

A55 PLANNING BOARD

Resolved:- That the reports and minutes of the meetings of the Planning Board (Section T) (pages 36T to 51T) be adopted.

Mover:- Councillor Pickering

Seconder:- Councillor Dodson

A56

QUESTIONS AND CABINET MEMBERS AND CHAIRMEN

[1] Councillor Turner asked had a deal finally been done with Tesco, what was the deal, when did the demolition start, when would the project be completed and would there be any plans for free parking availability?

Councillor Smith confirmed that terms have been agreed and these were being documented by Solicitors. The legal deed of variation necessary to document this deal had not formally been completed, but was expected to be signed in the next few weeks, in any event by the end of November.

The deal was conditional upon various items being secured, the main one being planning permission. Once planning permission was granted and the other conditions (eg. site surveys, road closures etc.) have been satisfied, the deal would become unconditional. At this point, TCN would pay the land price and they would be granted the pre-agreed long lease to enable them to go onto the site to start building.

The price was set at £6,556,622 (plus an additional payment of £500,000 for the petrol filling station consent). This price may be reduced depending on the value of the Section 106 works which were required as part of the planning process. If the Section 106 works cost more than £847,607, the price would be reduced by the amount over that sum up to a maximum of £1m.

The new superstore would be built and, after completion, there was a further calculation of any overage in which would be shared 50:50. It was unlikely, however, that there would be much in the way of overage in this transaction as the values and costs have been carefully calculated.

It was not possible to give an exact date for completion, as the date for demolition was linked to the deal becoming unconditional, which was when TCN have an implementable planning permission. The planning application would be submitted within the next month and it was anticipated would be considered by the Council's Planning Board by the end of March, 2012. Once planning permission was granted, it was anticipated that the construction period would be 12-18 months. This would depend on no Judicial Review of the permission, or no "call in" of the application by the Secretary of State. A detailed work programme would be developed, once planning permission had been granted.

Accommodation of town centre parking would be negotiated as part of the planning application and formal pre-application process was expected to start in November.

[2] Councillor Gilding asked with limited parking available at the new Rotherham United stadium, where were the majority of football fans expected to park their cars?

Councillor Smith explained that in addition to the 500 spaces which would be provided on site for use by the stadium, the Council intended to open a new car park off Sheffield Road (at the rear of the existing Sheffield Road car park on the former swimming baths site). This car park was currently the subject of an application for change of use.

The car park would have capacity for approximately 120 – 150 cars (depending upon how well people parked their vehicles). There was also a 35 space car park at the rear of the Kentucky Fried Chicken restaurant off Corporation Street and on-street parking on Sheffield Road, Westgate, Canklow Road, Maltkiln Street, Masbrough Street and Chapel Walk. All these facilities were within a short walk from the site of the new stadium. The walking route from the refurbished station was also being upgraded, as some supporters would arrive by train.

[3] Councillor Middleton asked would the Leader and Members join the Conservative Group in congratulating Justine Greening, the new Secretary of State for Transport, on becoming, after the Foreign Secretary, the second member of the Cabinet to be born, raised, and state-educated in Rotherham?

The Leader was pleased to congratulate the M.P. for Putney, Roehampton and Southfields on becoming the new Secretary of State for Transport.

It certainly did not surprise the Leader and should not surprise any Member in this Chamber – that someone born, raised and state-educated here in Rotherham could achieve great things in their life, similarly to William Hague, who was educated at Wath Comprehensive School.

Justine Greening had done very well in her short political career only being elected in 2005. She was Shadow Minister for Communities and Local Government before being appointed Economic Secretary to the Treasury last year.

[4] Councillor Parker asked what type of lease had been signed for the new Riverside offices and was it a full repair and insurance lease or was the landlord responsible for all maintenance at their cost?

The Leader confirmed that it was a Repair and Insuring Lease.

[5] Councillor Gilding asked what risk assessment had been made into the emergency evacuation of the stadium, bearing in mind that the only access was via the narrow Don Street?

Councillor R. S. Russell pointed out that under the provisions of the Safety of Sports Grounds Act, 1975 metropolitan boroughs were responsible for issuing and enforcing safety certificates in respect of any sports ground in their area which had been designated by the Secretary of State. These were sports grounds that, in his opinion, have accommodation for more than 10,000 spectators, or 5,000 in the case of Football League grounds in England.

A safety certificate would set the permitted capacity for the sports ground, together with the detailed terms and conditions with which the ground management must comply in order to operate the sports ground at its permitted capacity.

[6] Councillor Middleton asked did the Cabinet Member for Town Centres, Economic Growth and Prosperity have any plans to improve, or failing that, scrap, the telephone system for town centre parking, which at present was a positive discouragement to all wishing to shop in Rotherham Town Centre?

Councillor Smith reported that contrary to the question's wording, the system was proving increasingly popular. The percentage of overall parking payment transactions undertaken using the RingGo system had reached 7%. This represented significant financial advantages for the Council. The income from paid parking activities during 2011/12 had also increased by 2.2% against the same period last year (this also took the free parking grant money into account). There have been no recent complaints about the system and the Council now tended to receive only positive comments about the convenience of the system, for example being able to "top up" a parking payment by use of a telephone/computer if stuck in a meeting etc. There were no plans to remove the system and the Council was investigating other incentives which could be offered to customers for using the system.

[7] Councillor Parker referred to reports in the press that the Council were to spend funds on a new statue of a steelman and asked could the Leader tell us estimated costs?

The Leader confirmed that a 40 metre high "Man of Steel" sculpture was being proposed on the Sheffield/Rotherham boundary, but in the Rotherham West Ward.

The Council would not be funding any of the estimated costs relating to the development and erection of the proposed statue, but did support the project put forward by the developers.

[8] Councillor Gilding asked how would the Listed Building (Guest and Chrimes frontage) be incorporated into the scheme?

Councillor Smith confirmed that the planning permission which had been granted excluded the Listed Guest and Chrimes building from the scheme, but did not prejudice its future conversion and re-use and provided for access and servicing to the building and a curtilage around it. The club were exploring a number of commercial opportunities to convert/re-use the building, but no decisions have been made as yet. Listed Building Consent would be required for alterations to the building, as would planning permission.

[9] Councillor Middleton asked did the Cabinet Member for Town Centres, Economic Growth and Prosperity have any proposals to provide on-street parking in Rotherham town centre for periods of more than one hour?

Councillor Smith reported that there were a significant number of on-street parking spaces in which the maximum stay was longer than one hour. These were:-

Main Street
Sheffield Road
Percy Street
Grove Road
Moorgate
Stanley Street
Market Street
Chapel Walk

Westgate
Canklow Road
Mansfield Road
Ship Hill
Moorgate Street
Domine Lane
Masbrough Street
Doncaster Gate

[10] Councillor Gilding what was the average days per annum taken as Sick Leave by Rotherham Council employees?

Councillor Akhtar confirmed that the Council's sickness absence levels for Quarter two of the current financial year projected that by the end of the year employees would on average experience 7.26 days sickness. This compared to last year's outturn figure of 8.1 days per employee down from 9.37 in 2009/10.

Traditionally the winter months over Quarters 3 and 4 of the financial year were the highest in terms of sickness absence and a year end figure at or around last year's level was expected.

The Council's sickness absence levels compared favourably with recognised benchmark figures for sickness absence across other organisations. The Confederation of British Industry (CBI) average for organisations of over 5,000 employees stood at 9 days lost per employee per year.

[11] Councillor Middleton asked what responsibility did the Council have for the approach to, and the area immediately surrounding, Rotherham Railway Station, which, even allowing for the rebuilding work, was in a disgraceful state of disrepair and presented the worst possible impression to visitors to the town?

Councillor Smith reported the Council had relatively little influence over the wider station area with a number of landowners in this vicinity (Tesco, Network Rail etc.). Central Road, for instance, was owned and maintained by Network Rail and currently the site compound for the redevelopment of the station.

However, the Council was working to improve the station area and have acquired land between Central Road and the canal to create an improved station gateway to complement the new station building. This land was also the subject of construction work at present, necessary to deliver the overall improvements to the station gateway, which were programmed for completion in March, 2012.

In the meantime, the Council was trying to secure localised improvements to the area where possible. The recent removal of 'Le Barge', which had been the subject of anti social behaviour and vandalism over many years, was part of efforts to do this. The Council was also currently exploring whether general improvements to the area could be made (bridge painting and removal/pruning of overgrown weeds/plants etc. around the canal) to further improve the station gateway area.

[12] Councillor Middleton asked did the Council have any plans to provide parking facilities close to the railway station to encourage commuters to use the train rather than a car?

Councillor Smith reported the Council had no land available in the vicinity of the railway station. However, the station had its own car park and there were a significant number of on-street parking bays available on Chapel Walk and Masbrough street where all day parking was available.

[13] Councillor Middleton asked following the reported collapse of the Rother Valley Country Park management arrangement with Oak Holdings and Rother Valley Country Park, how much of the projected saving of £400,000 had actually been saved by Oak Holdings and Rother Valley Country Park in two years ?

Councillor Smith confirmed that in the first year the management fee was the full budget of the park and in the second year it was reduced by £57,000.

[14] Councillor Middleton asked was the termination of the seven year contract with Oak Holdings and Rother Valley Country Park a unilateral decision? If it was, were there any cost implications in terms of damages arising from the termination?

Councillor Smith explained that the termination of the contract was instigated by the Council and not by mutual consent. It was not anticipated that there would be any budget implications resulting from the termination.

A57 STANDARDS COMMITTEE ANNUAL REPORT

Mr. M. Andrew, Chairman of the Standards Committee, introduced the Standards Committee Annual Report for 2011.

Resolved:- That the report be received and the Committee be thanked for their hard work.

Mover:- Councillor Stone

Seconder:- Councillor Akhtar

A58 ABSENCE FROM COUNCIL DUE TO ILLNESS

Councillor Stone introduced the report proposing approval of the absence of Councillor Blair from meetings of the Council as a result of illness.

Councillor Blair, having completed his treatment, was now back in circulation and fully intended resuming his Council duties where possible.

Resolved:- That the failure of Councillor Blair to attend Council meetings be noted due to long-term illness and, for the purposes of Section 85 (1) of the Local Government Act, 1972, his absence from Council meetings be approved should he become unfit to attend.

Mover:- Councillor Stone

Seconder:- Councillor Akhtar

A59 SCRUTINY UPDATE

Councillor Whelbourn, Chairman of the Overview and Scrutiny Management Board, welcomed the opportunity to give an update on activity and introduced Councillor Jack, Chairman of the Health Select Commission, to give a short overview of progress from a health perspective.

By way of a work programme progress summary, the Health Select Commission had looked at the areas concerning:-

- The K.W.I.L.L.T Programme.
- Park Rehabilitation Centre Review.
- Centre for Public Scrutiny Development Areas.
- Scrutiny and the Health Reforms.
- Scrutiny Review of Health Inequalities.
- Scrutiny Review of Continuing Health Care.

Resolved:- That the update on the work of the Health Select Commission be noted.

A60 SUPPORT FOR THE LOCAL GOVERNMENT PENSION SCHEME

Moved by Councillor Steele and seconded by Councillor License:-

“Council notes that the Local Government Pension Scheme is a sustainable, good quality pension scheme that benefits from being funded and locally managed. It is valuable to employers and employees alike.

Council is concerned by proposals announced by the Chancellor in the last Comprehensive Spending Review to impose an extra 3.2% contribution tax on scheme members, increasing scheme average contributions from 6.6% to 9.8% and notes that none of the additional revenue will go towards improving the financial security of the scheme and that in addition, research indicates that 40-50 per cent of affected members may opt out of the scheme as a result of this policy, thereby undermining the viability of the largest pension scheme in the UK. Current Government proposals are not a genuine attempt to make the schemes more sustainable, they are a cash grab by the Treasury, imposing an additional tax on workers.

Council notes that public service workers have suffered an ongoing pay freeze, widespread redundancies and cuts and closures of many vital services on which our communities rely.

Council further notes that the Local Government Association wrote to the Chancellor on 16th February, 2011 to express concerns that mass opt-outs would be both undesirable and damaging to the scheme – Council shares these concerns.

Council is disappointed that the Government has failed to negotiate fully and openly with the Trade Unions and regrets that the Government's intransigence has increased the possibility of industrial action. Council notes that the trades unions and community groups have agreed to organise local and national protests in support of public services, jobs and pensions Council agrees to support the work of the Trade Unions in raising awareness of this issue and local employees in defending their pension scheme.

Council resolves to ask the Leader to write to the Chief Secretary to the Treasury within the next month to express Council's concerns and urge the Government to rethink their proposals."

The motion was put and carried and adopted by the Council.

[The Mayor (Councillor Wright) and Councillors Atkin, Barron, Beck, Buckley, Currie, Donaldson, Ellis, Gilding, Johnston, Lakin, License, McNeely, Parker, Pickering, Read, P. A. Russell, R. S. Russell, Sharman, Sims, Steele, Stone, Turner, Walker, Whelbourn and Wyatt declared personal interests in this motion on grounds that they were contributors to the Local Government Pension Scheme]