COUNCIL MEETING 25th July, 2012

Present:- The Mayor (Councillor Dave Pickering) (in the Chair); Councillors Ahmed, Akhtar, Ali, Andrews, Astbury, Atkin, Barron, Beaumont, Beck, Buckley, Burton, Clark, Currie, Dalton, Dodson, Donaldson, Doyle, Ellis, Falvey, Gilding, Godfrey, Gosling, Goulty, J. Hamilton, N. Hamilton, Hussain, Jepson, Johnston, Kaye, Lakin, Lelliott, McNeely, Middleton, Pitchley, Read, Robinson, Roche, Roddison, Rushforth, G. A. Russell, P. A. Russell, R. S. Russell, Sangster, Sharman, Sims, Smith, Steele, Stone, Swift, Wallis, Whelbourn, Whysall, Wootton, Wright and Wyatt.

A13 COUNCIL MINUTES

Resolved:- That the minutes of the meeting of the Council held on 18th May, 2012 be approved for signature by the Mayor.

Mover:- Councillor Stone Seconder:- Councillor Akhtar

A14 COMMUNICATIONS

- (1) The Chief Executive submitted the following petitions which had been referred to the appropriate Directorate for consideration:-
- Containing nine signatures from residents of Barnsley Road requesting demolition and development of Storm House in order to put an end to constant anti-social behaviour and problems the site was causing to the local community.
- Containing sixty three signatures from local residents about the eviction of a family in Maltby.
- Containing ten signatures of parents regarding school admissions at Treeton Primary School.
- (2) The Chief Executive submitted apologies for absence from Councillors Foden, Havenhand, Hoddinott, License, Mannion and Watson.

A15 QUESTIONS FROM THE PUBLIC

A member of the public pointed out that there had been no Union Flag in the Mayor's Parlour and for five years the facility to lower the flag on Remembrance Day was lost. Now the Regional Labour Party recommended that it was "beneficial" to fly the Union Flag from the Town Hall why did Rotherham have theirs round the corner, out of sight?"

The Leader reported that there were no plans to relocate the existing "primary" flag pole at the Town Hall.

The asking of a supplementary question by the member of the public was overruled by the Mayor.

A16 STANDARDS COMMITTEE

Resolved:- That the reports and minutes of the meeting of the Standards Committee (Section B) (pages 1B to 3B) be adopted.

Mover:- Councillor Buckley Seconder:- Councillor Gilding

A17 CABINET MINUTES

Resolved:- That the reports and minutes of the meetings of the Cabinet (Section C) (pages 1C to 24C) be adopted.

Mover:- Councillor Stone Seconder:- Councillor Akhtar

A18 DELEGATED POWERS MINUTES

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

- Children, Young People and Families Services Pages 1D to 12D (Section D)
- Cohesion Pages 1E to 7E (Section E)
- Culture and Tourism Pages 1F to 7F (Section F)
- Regeneration and Development Pages 1G to 2G (Section G)
- Adult Social Care Pages 1H to 12H (Section H)
- Safe and Attractive Neighbourhoods Pages 1J to 16J (Section J)
- Health and Wellbeing Pages 1K to 10K (Section K)
- Waste and Emergency Planning Pages 1L to 11L (Section L)
- Deputy Leader Pages 1N to 13N (Section N)

Mover:- Councillor Stone Seconder:- Councillor Akhtar

A19 AUDIT COMMITTEE ANNUAL REPORT 2011/12

Councillor Sangster introduced the Audit Committee Annual Report for 2011/12.

Resolved:- That the report be received.

Mover :- Councillor Sangster Seconder:- Councillor Kaye

A20 AUDIT COMMITTEE

Resolved:- That the reports and minutes of the meeting of the Audit Committee (Section P) (pages 1P to 10P) be adopted.

Mover:- Councillor Sangster Seconder:- Councillor Kaye

A21 LICENSING BOARD

Resolved:- That the reports and minutes of the meeting of the Licensing Board (Section Q) (pages 1Q to 6Q) be adopted.

Mover:- Councillor Wootton Seconder:- Councillor Barron

A22 HEALTH AND WELLBEING BOARD

Resolved:- That the reports and minutes of the meeting of the Health and Wellbeing Board (Section S) (pages 1S to 5S) be adopted.

Mover:- Councillor Wyatt Seconder:- Councillor Lakin

A23 PLANNING BOARD

Resolved:- That the reports and minutes of the meetings of the Planning Board (Section T) (pages 1T to 45T) be adopted.

Mover:- The Mayor (Councillor Pickering) Seconder:- Councillor Dodson

A24 LEADER AND DEPUTY LEADER

Resolved:- That the reports and minutes of the meetings of the Leader and Deputy Leader (Section U) (pages 1U to 6U) be adopted.

Mover:- Councillor Stone Seconder:- Councillor Akhtar

A25 QUESTIONS TO CABINET MEMBERS

(1) Councillor Middleton referred to the Local Talking Newspaper, a service to those with impaired sight and how it had had its funding withdrawn in 2008 and after moving to new Council premises (rent £2,676), had now seen its rent increased to £4,742, a 76% rise and asked was this considered to be fair/equitable treatment towards a charitable organisation for the vulnerable?

Councillor Doyle reported that the Talking Newspaper had moved to premises which were not owned by the Council, but by NHS Rotherham. The Council was fully supportive of the Talking Newspaper and their objectives.

A meeting had been held recently to discuss ways in which the Council could help the Talking Newspaper with their financial situation in the short term and to help them identify alternative Council owned premises if and when they become available to help with their rent issues.

(2) Councillor Gilding asked the Leader to update Members of the current liabilities of this Council in regard to the former South Yorkshire Trading Standards Department at Chapeltown and the Digital Region.

The Leader confirmed that the outstanding liabilities with regard to the South Yorkshire Trading Standards Unit were still the subject of on-going negotiations between the affected Councils.

With regard to Digital Region, the Council as a shareholder was working with the other shareholders including Central Government, to complete a procurement exercise for the digital network that would help to maximise the financial interests of the Council. This process was subject to commercial sensitivities and nothing further could be reported at this point.

(3) Councillor Middleton referred to a sign reading "Wind Farm Traffic Use Junction 31" which had suddenly appeared on East Bawtry Road that the proposed traffic should use to this inappropriate development and asked how much traffic was projected?

Councillor Smith confirmed that the transport data submitted with the planning application [RB2009/824] outlined a ten month construction period during which a variety of vehicles would access the site ie. HGV's (to deliver stone and concrete), flat bed lorries, extendable trailers to deliver turbine components (abnormal loads), cranes and construction personnel/deliveries by private car, light van or mini bus. To give a worst case scenario, the report assumed that 100% of vehicles would utilise the M1 and the A57, although in practice the abnormal loads would approach via J1 of the M18 and Cumwell Lane/Kingsfirth Lane through Thurcroft.

The average daily movements based on a five day working week have been listed for each of the ten months and these range from 31 No. movements to 76 No. movements (in and out combined).

(4) Councillor Middleton asked had the success, or otherwise, of the car sharing scheme advertised on lampposts in the Borough been measured and if so, what was the result and what costs have arisen from the promotion/administration of it?

Councillor Smith reported that as the first anniversary of the erection [of the signs] approached the membership statistics for the scheme would be collated for the year and reported to the Cabinet Member with responsibility. Administration of the scheme was funded centrally from the LTP across South Yorkshire as were the costs for the signs. Administration costs were fixed and did not fall to the Council. No additional promotion was undertaken in Rotherham during this year (in order to accurately determine the efficacy of the signs), therefore, no promotional costs have been incurred.

(5) Councillor Middleton asked that whilst congratulating Rotherham United on the completion of the New York Stadium, what now was this Council's financial commitment to it in terms of loans and/or grants?

Councillor Akhtar confirmed that in accordance with Cabinet approval (8th June, 2011), the Council was making available funding up to £5m to facilitate

the development of the new community stadium. The funding would be provided on a commercial basis and appropriate financial security would be put in place to ensure that there was no financial cost to the Borough's Council taxpayers. To date the Council had advanced £4.1m by way of secured loans.

(6) Councillor Middleton asked following the acceptance by Valuation Office Agency of the principle that the blight of nearby windfarms reduced the value of houses, would the Deputy Leader confirm that the owners of houses affected by existing/proposed windfarms in Rotherham would be sympathetically treated in applications for reductions in Council Tax banding?"

Councillor Akhtar pointed out that the Valuation Office Agency, a Central Government Office, was responsible for the valuation of properties and it was to them that taxpayers within Rotherham would have to appeal. The Council would not be in a position to influence any Valuation Office Agency decision on the Council Tax bandings for those houses affected by windfarms in Rotherham.

A26 SCRUTINY ANNUAL REPORT AND SCRUTINY UPDATE

Councillor Whelbourn presented the 2011/12 Annual Report and the 2012/13 Scrutiny Forward Plan and in doing so welcomed the opportunity to give an update on activity and achievements from 2011/12 for each of the Select Commissions and how the Overview and Scrutiny Management Board had overseen its own work programme as well as that of the Select Commissions...

Resolved:- That the Scrutiny Report for 2011/12 be received and the Scrutiny Forward Plan for 2012/13 be supported.

Mover:- Councillor Whelbourn Seconder:- Councillor Steele

(THE MAYOR AUTHORISED CONSIDERATION OF THE FOLLOWING TWO ITEMS IN ORDER TO PROGRESS THE URGENT MATTERS WITHOUT DELAY - STANDING ORDER 10(4) (RECEIPT OF NOTICE OF MOTIONS WAS SUSPENDED TO ENABLE THE MOTION IN RESPECT OF LANCE CORPORAL BALEWAI TO BE CONSIDERED)

A27 LANCE CORPORAL BALEIWAI

Moved by Councillor Stone and seconded by Councillor Akhtar:-

"An emergency motion is proposed regarding the treatment of a Fijian born solder who has been refused citizenship by the UK Border Agency.

The treatment of Isimeli Baleiwai, a Fijian born soldier who has served in the British Army for 13 years, is condemned. He is fighting to stay in the UK after being refused citizenship and has been told he must leave the country by 9th August.

Following a fight in 2010 with a colleague, Lance Corporal Baleiwai was fined £1000 and now has a criminal record.

Despite being an excellent performing officer with the British Army, including tours of duty in Bosnia, Iraq and Afghanistan, he has been refused citizenship due to his criminal record as he was not considered to be of 'good character'. He is married to a British national and has two young children.

The treatment of this individual has been appalling. The UK government should condemn such treatment of ex military personnel and uphold their right to citizenship in this country.

It is proposed that the Council resolves to write to the appropriate Government Department in the strongest terms, asking that the decision regarding Lance Corporal Baleiwai be reconsidered with a view to granting him UK citizenship."

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

A28 MEMBERSHIP ARRANGEMENTS

Consideration was given to a request by Councillor Burton to be removed from the membership of the Health Select Commission and join the Improving Lives Select Commission.

Resolved:- That Councillor Burton be removed from the membership of the Health Selection Commission and be appointed to the Improving Lives Select Commission.

Mover:- Councillor Stone Seconder:- Councillor Akhtar