

FORWARD PLAN OF RECORDED DELEGATED DECISIONS TO BE TAKEN BY OFFICERS

The Law requires certain executive decisions made by officers to be recorded and published. The intention behind the legislation is to extend some of the openness and transparency which applies to Cabinet decision-making to decision-making by officers. The requirements do not extend to all executive decisions made by officers. There is no requirement to disclose information which would have been dealt with as confidential or exempt information had the decision had been taken by Cabinet.

The Government has published Guidance on the requirements, “*Open and accountable local government – A guide for the press and public on attending and reporting meetings of local government.*” As the Guidance puts it:

The requirement to record decisions extends only to “executive decisions”. Executive decisions can sometimes be defined in your council’s rules. Decisions which are taken by officers under specific delegations from a meeting of their council’s executive are clearly executive decisions. However, many administrative and operational decisions officers take on how they go about their day to day work will be delegated within the council’s rules and are not in this “executive decisions” category; as such they do not need to be recorded.

In practice there are two burdens imposed by the legislation, firstly to identify decisions which have to be recorded and secondly to produce and publish the necessary records. There is a separate and different set of rules about the recording of Non-Executive decisions.

This document has been prepared to provide Members with details of forthcoming officer decisions to be made using delegated executive and non-executive powers.

This plan is not for wider publication.

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What is an Executive Decision?

The majority of Council decisions are executive decisions made by the Cabinet or by officers using powers delegated by the Cabinet. Executive decisions are those which by law, or by the Council's Constitution, do not fall to be made by the Council, or any committee, sub-committee or officer exercising making powers delegated by the Council. Decisions which are not Executive decisions include:

- policy and budget decisions (which are matters for the full Council)
- Decisions to adopt or amend the Council's Constitution (which are matters for the full Council)
- Decisions which are within the remit of the Regulatory and Appeals Committee, the Planning Panels, Governance and Audit Committee, Standards Committee, Licensing Committee or Staffing Committee

Which Officer Executive Decisions have to be recorded?

The Guidance sets out classes of executive decisions which do not have to be recorded and these include:

- decisions to allocate social carers to particular individuals, or for example, to provide walking aids;
- decisions to allocate a social housing unit to an applicant or to send someone to carry out repairs;
- decisions to review the benefit claims of an individual applicant and
- decisions to allocate market stalls to individual traders.

The Guidance also defines classes of executive decisions which do have to be recorded and these include:

- Decisions specifically delegated to an officer by a meeting of the Cabinet.
- Decisions about awarding contracts above a certain value [in the case of the Council above £250,000];
- decisions to exercise powers of Compulsory Purchase;
- decisions on disposal of and/ or provision of allotment land and green spaces;
- awarding of Discretionary Rate Relief
- the opening hours of local libraries; and
- the holding of car boot sales/markets on council-owned land.

Reports considered by officers when making executive decisions

The law requires any report considered by the officer and relevant to the decision or part of any decision to be made available for inspection.

Confidential and Exempt Information

The requirement to publish records of officer executive decisions does not require the disclosure of confidential information in breach of the obligation of confidence. For these purposes confidential information is restricted to information provided by government departments on condition that it will not be disclosed to the public or information which cannot be disclosed by law or by an order of a court. Similarly there is no requirement to disclose exempt information.

When a decision appears to involve either confidential or exempt information advice should be sought from the Monitoring Officer.

What does publication mean?

A copy of the decision record and any report, or part of a report relevant to the decision must be made available for public inspection by members of the public as soon as is reasonably practicable at the Council's offices via Democratic Services and on the Council's website. These records must be retained and be available for inspection for a period of at least six years from the date of the decision.

Decision title	Date added to the Forward Plan	Anticipated date of decision	What is the decision	Who will be consulted	Documents to be considered	Wards affected	Is the decision to be made in private	Directorate and contact for further information
ADULT CARE, HOUSING AND PUBLIC HEALTH								
ASSISTANT CHIEF EXECUTIVE/CHIEF EXECUTIVE								
HR & Payroll System Contract	1 August 2022	November 2022	<p>The current contract for the HR & Payroll system ends 31 March 2024, it is proposed to complete a procurement process to enable a direct award to the incumbent supplier (Insight UK Direct Ltd) for a new contractual arrangement beyond 31 March 2024.</p> <p>The direct award will be made via the Crown Commercial Services (CCS); Data and Application Solutions, Framework Contract Number: RM3821, Lot 1a: Resource Planning & Management Solutions including Financial & Commercial.</p>	Procurement, legal and finance departments. Cllr Alam.	Report	All Wards	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Jo Brown Tel: 01709 255269 jo.brown@rotherham.gov.uk
CHILDREN'S AND YOUNG PEOPLE'S SERVICES								
FINANCE AND CUSTOMER SERVICES								
Authorisation of Court Officers (Non-executive)	1 November 2019	January 2023	To authorise named officers to represent the Council in legal proceedings at the Magistrates Court.	Cabinet Member for Corporate Services and Finance	Report	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Determination of any changes to the Council's financial arrangements in response to the Coronavirus pandemic and Cost of Living Crisis	1 April 2020	January 2023	To determine any decisions required in order to manage the Council's financial position or cashflows, or to support the Council in responding to Directions and Guidance from Government including the issuing of reliefs and discounts and allocation and use of grant funding.	Council Leader or Cabinet Member for Corporate Services and Finance	Report	All Wards	Open	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

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Determination of Requests for Early Release or Flexible Retirement (Non-Executive)	1 February 2020	January 2023	To determine requests for early release or flexible retirement in accordance with powers delegated to the Strategic Director of Finance and Customer Services.	Relevant Cabinet Member(s), Assistant Director of Human Resources and Organisational Development.	Report	All Wards	Fully exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Appointment of supplier to provide Firewall hardware and related services	30 January 2023	May 2023	To appoint a supplier to provide Firewall hardware, licenses, and maintenance and support services.	Officers within procurement, legal and finance, and the Cabinet Member portfolio holder, in accordance with the Council's procurement procedures, and through the sign-off of the procurement business case.	Report and Appendices		Fully exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk
Appointment of a Microsoft Re-seller	30 January 2023	May 2023	To appoint a supplier to re-sell Microsoft licensing and related services to the Council.	Officers within procurement, legal and finance, and the Cabinet Member portfolio holder, in accordance with the Council's procurement procedures, and through the sign-off of the procurement business case.	Report and Appendices		Fully exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Judith Badger Tel: 01709 822046 judith.badger@rotherham.gov.uk

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REGENERATION AND ENVIRONMENT								
Application for Moving Traffic Enforcement powers under Part 6 of the Traffic Management Act 2004	16 January 2023	January 2023	Formal approval to submit an Application to the Department for Transport for Moving Traffic Enforcement powers under Part 6 of the Traffic Management Act 2004. This will enable Designation of traffic management powers to the local authority for enforcement of moving traffic offences under the above Act.	Leader, Cabinet Member for Transport and Environment. Public Consultation was conducted from 11th – 23rd December 2022.	Report and appendices Delegated Officer Decision REPORT TMA - Applying to DfT v6 Appendix 1 Traffic Management Act Part 6 Cabinet report EA v3 Appendix 2 Traffic Management Act Part 6 Cabinet report Carbon impact assessment	All Wards	Open	Andrew Moss andrew.moss@rotherham.gov.uk
A6021 Broom Road and Wellgate proposed amendments to waiting restrictions and speed limit - Active Travel Proposals	31 January 2022	February 2023	To seek approval from Assistant Director to implement a package of traffic regulation orders subject to no objections being received. If objections are received the report will be considered by Strategic Director	Cabinet and local Ward Members (Boston Castle), statutory consultees (e.g. fire, ambulance, Police, Passenger Transport Executive etc.) the public via notices on site and in the Rotherham Advertiser.	Report	Boston Castle	Open	Andrew Butler andy.butler@rotherham.gov.uk

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Cumulative Impact Policy Review - 2023	13 February 2023	February 2023	<p>The Council adopted a Cumulative Impact Policy in June 2020, which allows the authority to publish an assessment stating that it considers that the number of licensed premises within a defined area is at such a level that the granting of further licences would be inconsistent with the promotion of the licensing objectives.</p> <p>In 2020, an area within the Wickersley North, and Thurgroft and Wickersley South wards was identified as requiring a Cumulative Impact Assessment.</p> <p>The policy is required to be reviewed every three years, and any review must be consulted upon, before being published alongside an appropriate evidence base.</p> <p>This decision is to carry out a consultation process with residents, businesses, Elected Members, and statutory consultees as defined in the Licensing Act 2003.</p>	<p>Cabinet Member for Jobs and the Local Economy Ward members Licensing Committee Affected or interested residents Wickersley Parish Council Licence holders within the defined area Statutory consultees as within the Licensing Act 2003:</p> <ul style="list-style-type: none"> • Chief Officer for Police • Fire and Rescue authority • Director of Public Health • Local premise licence holders • Local personal licence holders • Local club premises certificate holders • Local business and residents in the area. 	Report and Appendices	Thurgroft & Wickersley South; Wickersley North	Open	Ben Mitchell ben.mitchell@rotherham.gov.uk

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Appointment of Bowmer & Kirkland to demolish No. 4 Corporation Street	13 February 2023	March 2023	<p>The Wilkinson store, 4 Corporation Street is land locked by Mecca Bingo to the North, Corporation Street to the East, Forge Island site B to the South and the River Don to the West. Therefore, access for the demolition works to be carried out can only come from either the East or South.</p> <p>Corporation Street is a main bus route servicing Rotherham Interchange, the SYPTTE have indicated that they will not support the closure of this road for a prolonged period, meaning the only workable access is from the South, site B.</p> <p>Bowmer & Kirkland commenced works on the Forge Island scheme which incorporates site B, in October 2022 and will be on site until Spring 2024. They have raised concerns over the demolition of 4 Corporation Street stating that there is a real danger of both delays to the programme and a risk to health and safety if another contractor is brought into the scheme to work in the same space at the same time as the main works are progressing.</p> <p>Bowmer & Kirkland have a wealth of experience in completing demolition and refurbishment schemes and would be looking to commence the works as soon as possible to minimise the impact to the HV /substation installation and the works around the entrance. Logistically, they would be able to incorporate the demolition whilst carrying out works on site B, this would take a large amount of planning in terms of access and egress, however if they had control over both sites this would be manageable.</p> <p>This approach has been agreed by Senior Management, Procurement and Finance.</p>		Report and appendices	Boston Castle	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Rory Battye Tel: 01709 254472 rory.battye@rotherham.gov.uk

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To award a contract for consultancy services to provide feasibility studies for City Region Sustainable Transport Settlement (CRSTS) schemes	16 December 2022	March 2023	To award a contract for consultancy services to provide feasibility studies for the CRSTS schemes. Wards affected: Bolton Castle, Rotherham East, Rotherham West, Sitwell.	The Cabinet and Ward members have already been briefed about the CRSTS schemes.	Report and Appendices	All Wards	Fully exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Paul Woodcock Tel: 01709 822971 paul.woodcock@rotherham.gov.uk
New build housing development off Brecks Lane, Introduction of 20mph limit / zone	16 January 2023	March 2023	To seek approval from Assistant Director to implement a traffic regulation order subject to no objections being received. If objections are received the report will be considered by Strategic Director.	Cabinet and local Ward Members (Wickersley North), statutory consultees (e.g. fire, ambulance, Police, Passenger Transport Executive etc.), the public via notices on site and in the Rotherham Advertiser.	Report and Appendices	Wickersley North	Open	Nigel Davey Tel: 01709 822380 nigel.davey@rotherham.gov.uk
Disposal of property at 32-34 Corporation Street (former Lloyds Bank Building)	13 February 2023	March 2023	The delegation will seek to dispose of the property at 32-34 Corporation Street at less than best consideration Under Section 123 of the Local Government Act 1972 to the adjoining landowning Developer to enable continued regeneration of the Town Centre. Approval has been given to the Assistant Director for Planning, Regeneration and Transport to negotiate and finalise the disposal of the asset.	Cabinet Member, Town Deal Board, Asset Management Board.	Report and Appendices	Boston Castle	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Lorna Vertigan lorna.vertigan@rotherham.gov.uk
Highways Asset Management Software	13 February 2023	March 2023	To make a direct award and appoint Symology Ltd for the provision of Highways Asset Management Software to the Council, as detailed within the procurement business case.	Councillor Beck (Cabinet Member for Transport and Environment).	Report and Appendices	All Wards	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Richard Jackson richard.jackson@rotherham.gov.uk

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Cumwell Lane, Hellaby proposed no waiting at any time restriction.	16 January 2023	May 2023	To seek approval from Assistant Director to implement a traffic regulation order subject to no objections being received. If objections are received the report will be considered by Strategic Director. The effect of the order would be to introduce a length of no waiting at any time restriction on Cumwell Lane, Hellaby.	Cabinet and local Ward Members (Hellaby & Maltby West Ward), Hellaby Parish Council, statutory consultees (e.g. fire, ambulance, Police, Passenger Transport Executive etc.), and the public via notices on site and in the Rotherham Advertiser.	Report and Appendices	Hellaby & Maltby West	Open	Nigel Davey Tel: 01709 822380 nigel.davey@rotherham.gov.uk
Bateman Road and Ridgway Close, Hellaby, time limited waiting restriction.	16 January 2023	August 2023	To seek approval from Assistant Director to implement a traffic regulation order subject to no objections being received. If objections are received the report will be considered by Strategic Director. The effect of the order would be to introduce a length of time limited waiting restriction on Bateman Road and Ridgway Close, Hellaby.	Cabinet and local Ward Members (Hellaby & Maltby West Ward), Hellaby Parish Council, statutory consultees (e.g. fire, ambulance, Police, Passenger Transport Executive etc.), and the public via notices on site and in the Rotherham Advertiser.	Report and Appendices	Hellaby & Maltby West	Open	Nigel Davey Tel: 01709 822380 nigel.davey@rotherham.gov.uk
Compulsory Purchase of 3-7 Corporation Street	13 February 2023	April 2023	The decision will be the making and implementation of a Compulsory Purchase Order for 3-7 Corporation Street.		Report and appendices	Boston Castle	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Lucy Mitchell lucy.mitchell@rotherham.gov.uk