

**CABINET/COMMISSIONERS'
DECISION MAKING MEETING
Monday, 15th February, 2016**

Present:- Councillors: Read (in the Chair), Alam, Lelliott, Roche, Sims, Wallis, Watson and Yasseen.

Commissioners: Kenny, Newsam and Ney.

An apology for absence was received from Commissioner Sir Derek Myers.

13. DECLARATIONS OF INTEREST

Councillor Wallis declared a personal interest in Minute No. 16 (Local Welfare Provision 2016/17) on the grounds that she was a saver with LASER Credit Union and left the room whilst that item was discussed.

14. QUESTIONS FROM MEMBERS OF THE PUBLIC

Mr. Fawcus asked what the drive of the Labour Party in Rotherham was in relation to children and young people given what had happened over the last year or so. Youth clubs, branch libraries and early learning centres were being lost and Herringthorpe Playing Fields were losing their attraction for sport. In addition, it would appear that school crossing patrol wardens were superfluous and if this was the case why had money been wasted in the past.

The Leader confirmed the budget proposals, which had been out for consultation, identified the position the Council was facing with the Government cuts which required further savings of £21 million this year and a further £48 million over the next three years.

Every effort was being made to maintain some of the essential services and an additional £11 million would be assigned to Children's Services. This would give priority to vulnerable children, which was expected. In terms of the school cross patrol wardens, where the national threshold was met in terms of safety these would be maintained, but where this was below the threshold criteria academy schools were being asked to contribute towards funding and conversations were currently taking place.

If further information was required about Herringthorpe Playing Fields and youth services, officers would be happy to discuss this further.

In a supplementary question Mr. Fawcus again referred to the school crossing patrol wardens and asked if the Labour Party in Rotherham would be including in their manifesto the importance of ensuring children were safe crossing the road, rather than waiting for an accident to happen.

The Leader appreciated and noted the comments made and confirmed that where it was considered a high risk situation a school crossing patrol warden would be maintained, but that consideration was being given to funding by schools.

15. MINUTES OF THE PREVIOUS MEETING HELD ON 18TH JANUARY, 2016

Consideration was given to the minutes of the first meeting held on 18th January, 2016.

Resolved:- That the minutes be approved as a correct record, subject to Councillor Steele, Chair of the Overview and Scrutiny Management Board being included in the list of apologies.

16. LOCAL WELFARE PROVISION 2016/17

Consideration was given to a report presented by Councillor Read, Leader of the Council, which detailed how under the provisions of the Welfare Reform Act 2012 (c. 5), the crisis loans and community care grants components of the Discretionary Social Fund were abolished from April 2013. Local Authorities were then provided with grant to provide Local Welfare Provision (LWP) for two years up to March 2015.

Data collected during 2015/16 for the “Food in Crisis” contract confirmed that both demand and quality criteria continued to be met with 1500 people having needed to use the service over the last six months.

Steve Eling, Policy and Partnerships Officer, pointed out that whilst data had been collected to meet response demand, there needed to be a more strategic context in looking forward through planned strategic welfare support, better integrated with other service provision and focused on improving outcomes for those in need of support. Work had commenced through a partnership working group to achieve this and further reports drawing on this would follow during 2016/17 to include recommendations for future local welfare provision.

Councillor Watson, Deputy Leader, offered his support to the proposals as there was a direct link between poverty and child protection, which would only contribute to Rotherham becoming a child centred borough.

Resolved:- (1) That the contract with FareShare Yorkshire for “Food in Crisis” provision be confirmed and an extension to the contract be issued to March 2017.

(2) That LASER Credit Union be provided with a grant of £60,000 to continue the provision of crisis loans to residents suffering hardship for the year 2016/17. The provisions for awarding of loans and reporting to the Council to remain as in 2015/16.

- (3) That the Council enter into discussions with Voluntary Action Rotherham (VAR) regarding the use of the £10,000 contingency budget. This funding (offered on a one off basis) would be to help to support a complementary small grants scheme alongside Food in Crisis, and the co-ordination of support to the "Food in Crisis Partnership" work. A separate contract would be drawn up for this funding with VAR, should it be supported.
- (4) That further reports be presented during 2016/17 to establish future strategic direction to tackle poverty in Rotherham, making best use of the data being collected and informing recommendations for local welfare provision in future years whilst ensuring cost benefit ratio and best value.

(Councillor Wallis declared a personal interest on the grounds that she was a saver with LASER Credit Union and left the room whilst that item was discussed)

17. ROTHERHAM TRANSPORT STRATEGY

Consideration was given to a report presented by Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, providing details of the Rotherham Transport Strategy (2016-2026) and the policy framework which set out the strategic approach and the vision and management of transport in Rotherham.

The Strategy addressed fundamental challenges in Rotherham to support economic recovery in the borough and the impact on safety, health and climate change.

The Strategy also explained how the Council would build on its strong transport policy direction set out internationally, nationally and locally in the Sheffield City Region. It featured proposals to continue to improve the safety and condition of the road network in Rotherham and to support sustainable and affordable transport modes and ensure that fairness, safety and sustainability would be embedded in the transport projects delivered.

Transport projects would work to deliver the aims of the Rotherham Growth Plan and those of the Sheffield City Region. The Strategy sets out a series of challenges, objectives, themes and actions that would contribute to the overall vision that by 2026 Rotherham would enjoy sustainable growth and sustainable travel choices.

As a result of public and stakeholder consultation changes were made to the Strategy, but these did not alter the fundamental objectives.

There was some uncertainty within the Strategy as it was reliant on future funding and the Sheffield City Region devolution deal.

Caroline Bruce, Interim Strategic Director of Environment and Development Services, confirmed the Strategy had been subject to full consultation and reviewed by the Improving Places Select Commission.

Councillor Read, Leader of the Council, echoed the comments around the devolution deal and the new source of funding potentially to make decisions around transport strategic infrastructure more locally and more responsive, which was good news for Rotherham.

Recommended:- (1) That the Rotherham Transport Strategy 2016-2026 be adopted by Council on 2nd March, 2016.

(2) That internal consultation completed prior to public and stakeholder consultation and the comments from both incorporated where appropriate be noted.

18. ROTHERHAM'S HOUSING STRATEGY 2016-19

Consideration was given to a report presented by Councillor Wallis, Cabinet Member for Housing, which detailed the extensive consultation which had taken place with staff, partners, residents and other stakeholders with over 2,000 responses. Members have been engaged in the review and refresh of the Housing Strategy with a Members Seminar held on 4th February 2015.

The Strategy had now been refreshed and the new draft, which covered the period between January, 2016 and December, 2018, was based on a sound evidence base and reflected the views of people living and working in Rotherham under five themes:-

- Increasing the number of homes – **housing growth**.
- Ensuring affordable rented/**social housing** is available for those who can't afford or don't want to buy a home.
- Improving quality in the **private rented sector**, the fastest growing tenure in Rotherham.
- Increasing opportunities for first time buyers and other households seeking **affordable home ownership**.
- Ensuring a wide range of **specialist housing** that is suitable for older people and other specific groups.

The draft Housing Strategy provided residents with a clear and accessible document setting out how the Council was responding to the various housing challenges and what it intended to do. It also pulled together in a single document, the key housing aims and objectives from other more detailed plans.

The Strategy had been written at a time that could herald the most significant changes for housing in a generation. The Housing and Planning Bill was progressing through the parliamentary system and if passed would bring enormous changes to planning, house building and

social housing systems. Amidst the undoubtedly opportunities elements of the Bill provide, there were also very real challenges ahead, particularly for social housing system, which would make it increasingly difficult for people on modest incomes to afford suitable rented accommodation.

The Council will have to operate with a much lower level of resources than in previous years due to Government public spending cuts, and the social rent reduction which further reduced the Housing Revenue Account capacity to deliver housing growth and other key services. This would be compounded by the Enforced Sale levy which Government intends to impose on local authorities to pay for housing association Right to Buy discounts. The Council must, therefore, work in innovative and entrepreneurial ways with partners to deliver on the housing growth ambitions.

Dave Richmond, Assistant Director for Housing, Asset Management and Neighbourhoods, further emphasised the Council was having to work differently and embrace working with the private sector much more in order to find ways to deliver the objectives.

Commissioner Ney noted the theme on housing growth did not include reference to expectations on developers in relation to affording housing and mixed community tenure, nor did it include whether Council land would contribute or used as leverage for affordable housing to facilitate this.

Dave Richmond, Assistant Director for Housing, Asset Management and Neighbourhoods, confirmed some of the points were picked up as part of Section 3 for social housing. However, it was also noted that the Housing and Planning Bill could make significant changes to the Section 106 Agreements and could lead to further implications on social housing for the Council.

Councillor Steele, Chair of the Overview and Scrutiny Management Board, sought clarification on the number of houses sold through Right to Buy and how much revenue was allocated to the Council from the sale of housing stock and was advised due to the Right to Buy promotion by Government numbers had rapidly increased to around 130 per annum with the Council keeping only 20-30% of the sale value with the rest returned to the Treasury. As indicated previously the Housing Planning Bill would have a significant impact on the affordability of homes and could lead to increased Right to Buy requests. This would impact significantly on the thirty year business plan with further difficult challenges.

Councillor Roche, Cabinet Member for Adult Social Care and Health, endorsed the report and in doing so highlighted the additional pressures as a result of an aging population, which could be alleviated with good quality housing options.

Recommended:- That the Rotherham Housing Strategy 2016-2019 be adopted by Council on 2nd March, 2016.

19. REVENUE BUDGET MONITORING REPORT FOR THE PERIOD ENDING 31ST DECEMBER 2015

Consideration was given to a report presented by Councillor Alam, Cabinet Member for Corporate Services and Budgeting, which detailed the December Revenue Budget Monitoring report, currently showing a forecast outturn of £8.816m (+4.3%) above budget. The forecast outturn position had deteriorated by £197k since the November monitoring report due to additional needs-led demand pressures within Children's services (£398k), partially mitigated by reduced forecast spend in Neighbourhoods and Environment and Development Services.

A moratorium on non-essential spend was in operation and additional management action was taking place on how best to bring this overspend into line.

Stuart Booth, Interim Strategic Director for Finance and Corporate Services, confirmed a further meeting of the Cabinet and Commissioners was scheduled for Tuesday, 23rd February, 2016 to discuss the budget. Every endeavour would be undertaken to bring spending back into line to avoid any further uncertainty and impact on future plans.

Councillor Watson, Deputy Leader, described the work taking place in Children and Young People's Services, following the impact of the Casey and Jay reports and the improvements taking place. The service was moving in the right direction and future monitoring reports would reflect this.

This was also endorsed by Ian Thomas for Strategic Director of Children and Young People's Services, who confirmed that there is a correlation between poor quality and high cost and that resolving both elements of the equation would take time to address. However much work was taking place within constraints to bring costs down.

Councillor Roche, Cabinet Member for Adult Social Care and Health, described the demand pressures associated with direct payments and the high cost packages of residential care.

In terms of Public Health the reduction in the Public Health Grant was noted with a decision to be made on whether or not to transfer £400,000 to reserves.

Graeme Betts, Interim Strategic Director for Adult Care and Housing, highlighted the drive and the moves in the right direction to address the difficulties with direct payments and the introduction of a task group identifying the challenges to address the high cost care packages.

Councillor Steele, Chair of the Overview and Scrutiny Management Board, referred to the bi-monthly report monitoring report presented to scrutiny looking specifically at spend in this area.

Resolved:- (1) That the forecast overspend and the need to maintain continuous close scrutiny of spend to significantly mitigate the current forecast overspend be noted. To facilitate this a significant corporate overview of all spend between now and the end of March would be undertaken through the Strategic Leadership Team.

(2) That any 2016/17 budget savings proposals be implemented at the earliest appropriate opportunity (i.e. subject to clearance through appropriate approval mechanisms) to both guarantee full year effect of the saving in 2016/17 and contribute to mitigating the forecast overspend in 2015/16.

20. BUDGET 2016-17 - UPDATE

Consideration was given to a report presented by Councillor Alam, Cabinet Member for Corporate Services and Budgeting, which provided an update on the Budget for 2016/17 and initial feedback from the public and partners on the Directorate Budget proposals currently out for comment on the Council's website.

Stuart Booth, Interim Strategic Director of Finance and Corporate Services, confirmed the Final Local Government Settlement had now been received and was the same as that indicated in the Provisional Settlement received on 17th December 2015.

Consultation on the budget by the public and partners closed on the 12th February, 2016 and at that point 65 responses had been received, along with a petition against the closure of the Biological Records Centre.

Councillor Read, Leader of the Council, confirmed a piece of work was now in progress looking at these responses and highlighted a few areas where suggestions had been made.

Resolved:- That the update on the final Local Government settlement and the initial public and partner feedback received in respect of the Budget Proposals currently out to comment be noted.

21. CHESTERFIELD CANAL - PREPAYMENT OF THE COUNCIL'S MAINTENANCE COSTS TO THE CANAL AND RIVER TRUST

Consideration was given to a report presented by Councillor Alam, Cabinet Member for Corporate Services and Budgeting, which detailed the proposals for an early payment in full of maintenance costs associated with the Chesterfield Canal and the cessation of the Council's liability for future unforeseen maintenance costs.

Caroline Bruce, Interim Strategic Director for Environment and Development Services, recommended Option 3 which was to seek early exit from the arrangement through a prepayment of the maintenance sum. Under the terms of the negotiated settlement, the sum had been discounted at 4%, so that the Council would have to pay a sum of £416,943, an estimated saving of £100,768. The terms of the prepayment were favourable to the Council, given the discount rate that has been applied, relative to current interest rates.

Commissioner Kenny Resolved:- (1) That the proposal be approved for the current and future maintenance costs of £517,711 payable by Rotherham MBC to the Canal and River Trust, over the period 2014/15 to 2023/24, be prepaid in full, for an agreed sum of £416,943.

(2) That the agreement of a second Supplemental Agreement between Rotherham MBC and the Canal and River Trust, to document the prepayment of the maintenance contributions by the Council, the ongoing maintenance obligations of the Canal and the River Trust and the cessation of the Council's future maintenance liabilities, be approved.

(As this is a Commissioner decision it is not subject to 'call in')

22. REQUEST FOR EXEMPTION TO EXTEND THE AGREEMENT FOR THE TRANSPORT OF CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS

Consideration was given to a report presented by Councillor Roche, Cabinet Member for Adult Social Care and Health, which detailed the current framework agreement for the transport of children, young people and vulnerable adults which commenced in April 2013 with a duration of four years.

Within the framework agreement the contract allowed for two twelve month extension periods after the first two years. The first one year extension period option was exercised in December, 2014 for the period April, 2015 to March, 2016; the second extension period available was from April, 2016 to March, 2017.

It was important to procure future service provision under an integrated approach to transport which would be considered when the procurement process for the new routes began in May/June 2016 and would follow a similar vetting process for licensed taxi drivers which was welcomed by service areas.

Resolved:- (1) That the exemption from Standing Orders be approved.

(2) That the extension to the Home to School Transport contract for a second extension period contract period from April 2016 to March 2017 be approved.

23. PROCUREMENT OF WASTE COLLECTION VEHICLES

Consideration was given to a report presented by Councillor Sims, Cabinet Member for Waste, Roads and Community Safety, which referred to the current fleet of Waste Collection Vehicles being procured in March 2010 from the maintenance provider Translinc on a five year Vehicle and Maintenance Contract ('the principal contract').

This primary lease expired at the end of March 2015 and provision was made within the 'principal contract' for secondary leases by agreement, the vehicles have been extended under this provision until the new fleet of vehicles was procured.

The proposal was, therefore, to replace only the vehicles for domestic (residual) waste and commercial waste amounting to sixteen vehicles - twelve front line vehicles, two trade waste vehicles and two spares, with the option of a further four vehicles within two years.

David Burton, Assistant Director for Streetpride, confirmed the preferred supplier, based on quality and price, was Dennis Eagle Limited.

Commissioner Ney Resolved:- (1) That the contract for the supply of 16 No. replacement refuse collection vehicles is awarded to Dennis Eagle Ltd.

(2) That the procurement of the vehicles be progressed through an Operating Lease arrangement with Siemens Financial Services Ltd. for an initial term of five years.

(3) That the Strategic Director of Regeneration and Environment be given delegated authority to approve the acquisition of up to 4 No. refuse vehicles within a two year period under the terms of the framework agreement to meet the service requirements of the Council.

(As this is a Commissioner decision, it is not subject to 'call in')

24. EXCLUSION OF THE PRESS AND PUBLIC

That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006 (information relates to finance and business affairs).

25. PROCUREMENT OF ANNUAL SOFTWARE SUPPORT AND MAINTENANCE

Consideration was given to a report presented by Councillor Alam, Cabinet Member for Corporate Services and Budgeting, which detailed the need for a continued support and maintenance agreement with the current software supplier, which was to be aligned from 1st April, 2016 to 30th September, 2019.

Maintaining the reliability of the system was essential to achieve excellent customer service in the administration of benefits, ensuring efficient billing of Council Tax and Non Domestic Rates and maximising income collection.

Exemption from Standing Orders for procuring this system software support and maintenance was sought for the period up to 30th September 2019 as the provision of the document management and workflow software support could only be provided by the one supplier.

Resolved:- That the contract for the purchase from Civica of annual support and maintenance for the Civica Electronic Document management and workflow system be approved and exempt from the provisions of Standing Order 48.2 (requirement to invite between three to six tenders for contracts with a value of £50k or more) for the period up to 30th September, 2019.

26. NEW HARDSHIP RELIEF APPLICATION

Consideration was given to a report presented by Councillor Alam, Cabinet Member for Corporate Services and Budgeting, which detailed an application for hardship relief.

It was noted the Council had a duty under Section 49 (1) of the Local Government Finance Act 1988 to consider remitting or reducing rates where a ratepayer would sustain hardship if a remission or reduction was not granted and it would be reasonable to do so after taking regard of the interest of the Council tax Payers.

Government guidelines advised that hardship relief should only be granted in exceptional circumstances and that such a relief must only be considered for periods where there was clear evidence of the hardship being sustained.

Resolved:- That the application for hardship relief be refused in accordance with the policy agreed by Cabinet on 24th April, 2013.