

**COUNCIL MEETING**  
**Wednesday 19 October 2016**

Present:- The Mayor (Councillor Lyndsay Pitchley) (in the Chair); Councillors Alam, Albiston, Allcock, Allen, Andrews, Atkin, Beaumont, Bird, Brookes, Buckley, Clark, Cooksey, Cowles, Cusworth, Cutts, Cutts, Elliot, R. Elliott, Ellis, Evans, Fenwick-Green, Hague, Hoddinott, Ireland, Jarvis, Jepson, Jones, Rose, Khan, Lelliott, McNeely, Mallinder, Marles, Marriott, Napper, Read, Reeder, Roche, Roddison, Rushforth, Russell, Sansome, Senior, Sheppard, Short, Simpson, Steele, Taylor, Julie Turner, Tweed, Walsh, Watson, Williams, Wilson, Whysall, Wyatt and Yasseen.

**59. ANNOUNCEMENTS**

The Mayor presented Stewart Preece and Peter Watson from the Street Pride service with certificates of commendation from the Chief Constable of South Yorkshire Police for their actions in helping the police to apprehend a thief.

The Mayor also presented Tom Bell, Anne Marie Lubanski and Asim Munir from Adult Care and Housing with the Tenants Participation Advisory Service Accreditation Award.

Members of the Council joined the Mayor in showing their appreciation of the work done by those officers of the Council.

The Mayor reported on her activities:

“Since our last full Council Meeting on 7 September, I have attended over 80 (89) engagements, far too many to mention individually and all equally as important so, picking out a few has been hard but, here goes ....

I should mention my first engagement on the evening of the last Council Meeting - the Scout Annual General Meeting at Hesley Woods, this brought back lovely memories from my Girl Guiding days, many years ago!

There has been many occasion to celebrate with businesses across the Borough including the 225th Anniversary of Oxley and Coward, the opening of ‘Tiny Bistro’ Wickersley, the official opening by the Duke of Gloucester at X-Cel Superturn and ASSEAL celebrated yet another Queen’s Enterprise Award, presented by the Lord Lieutenant.

I can’t mention businesses without congratulating all the winners and runners up at the Barnsley and Rotherham Chamber of Commerce Awards last Friday.

September saw many visits across the Borough to the McMillan coffee mornings, including the annual one held here in the John Smith room by Councillor McNeely.

The Annual RMBC Garden Competition was celebrated here too and Councillor Beck, my Consort, and I presented well deserving certificates and trophies.

And what about Ray Matthews, celebrating with him on his Final 75th Marathon!! Now that's a true hero.

The Rotherham Show saw another good two full days with so many lovely people, not to mention the pets!!

The Carnival that paraded the town was spectacular. While I couldn't attend, I did see part of the parade as I was returning from my engagement where I celebrated at the Higher Education Graduation, again, here at Rotherham.

The Olympics Yorkshire Homecoming where we met some of our talented Olympians from the Olympics and Paralympics, plus holding and (even wearing) the well deserving medal – I'm pretty sure that will be the last time I ever wear an Olympic Medal!

Moving on .....

The Rotherham Lions 'Giveaway' was again lovely, to hand out so many cheques to all the deserving groups and individuals. All the money raised by the hard work of the Lions over the last 12 months. I must also thank them again for the donation of £500 towards my charity this year.

Still so many functions, I could go on all night, I won't, but I do have to mention a few more..

I must mention the presentation to Muriel Davies of the Women of Steel Medallion.

There has, of course, been many visits to primary schools across the borough, not forgetting the official opening of Eastwood Village Primary School.

Many schools and individuals have also visited the Town Hall since the last meeting, including Samantha Jones, representing the adoption team, who asked to take a selfi with me to launch Adoption Week – and I'm sure, of course, we all support them."

The Leader of the Council had no announcements.

**60. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Beck, M. S. Elliott, Finnie and Whysall.

**61. PETITIONS**

The Chief Executive reported that one petition had been received which had been referred to the Regeneration and Environment directorate for response.

Councillor Wyatt enquired whether the petition in question related to landscaping at Carlisle Park, Swinton and requested that the practice of detailing petitions on the Mayor's letter be reinstated. The Chief Executive confirmed that was the petition and all future petitions would be detailed on the Mayor's letter circulated at the meeting.

**62. COMMUNICATIONS**

No communications were received.

**63. DECLARATIONS OF INTEREST**

There were no declarations of interest at the meeting.

**64. MINUTES OF THE PREVIOUS COUNCIL MEETING**

Councillor Allen indicated that the minutes stated that she was present at the previous meeting when in fact she had submitted her apologies. Councillor Julie Turner requested that the minutes be amended to ensure that it was clear whether Councillor John Turner or Councillor Julie Turner had spoken, rather than recording that Councillor Turner had spoken.

**Resolved:-**

That, subject to the amendment of the attendance record and to note that Councillor John Turner had submitted a question, the minutes of the previous meeting of the Council held on 7 September 2016 be agreed as a true and correct record of the proceedings.

*(Councillor Brian Cutts wished for his vote against the accuracy of the minutes to be recorded.)*

**65. PUBLIC QUESTIONS**

The following questions were received:-

From Mr. D. Smith – “Why does the Borough Council insist on ignoring the opinion of the Parish Councils?”

In response, Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, stated that “the Council values its relationship with Parish Councils and has in recent years sought to improve and build on the positive relationship that exists between the two levels of local government. For example, the Council is committed to continuing with the RMBC/Parish Joint Council Working Group which is chaired by the Cabinet Lead, Neighbourhood Working and Cultural Services, and comprises elected representatives from all the Parish Councils across the borough. The group has worked together to refresh the Parish/RMBC Council Charter which sets out our joint commitment to partnership working.

The Council is also committed to supporting individual Parish Councils and their Clerks through training and events. Training has been provided on the planning process and health and safety in response to requests by Parish Clerks and Councils. A Parish Council Network Conference is also scheduled for November 2016 which again is to promote a common agenda around neighbourhood planning.

It should be borne in mind that as with any relationship between statutory partners there will be areas of policy agreement but also of difference. Such differences should not automatically be construed as partners not listening to each other’s opinions.”

As a supplementary question, Mr Smith reiterated his initial question and queried why, in his view, the Borough Council treated Parish Councils with contempt. In response, Councillor Yasseen expressed her disappointment at Mr. Smith’s view and referred to the work that the Borough Council had done with Dinnington Town Council in preparing a neighbourhood plan. She also made reference to the Joint Liaison Meeting scheduled for 20 October 2016 where discussions would be ongoing regarding a number of outstanding issues.

From Mrs. M. Watson:- “Is the Council aware of the implications of allowing Fisher German Prestner, agents of Ineos, to carry out seismic testing as a precursor to ‘Fracking’ in Harthill and Woodall?”

Councillor Lelliott responded “INEOS have been granted a Petroleum Exploration Development Licence (PEDL) by the Government for onshore oil and gas in the UK in our area. This means they have the sole rights to investigate fracking via the licence.

In relation to seismic testing this would only require the permission of the landowner to carry out, as no development is involved, so the Council has not been approached regarding this matter (parish council meeting with Ineos reported, in the Rotherham Advertiser, to take place on 17 October). However, any further, more intrusive, testing e.g. the drilling of test bore holes etc would require consideration via a planning application. To implement the fracking licence the company would also require other regulatory requirements such as planning permission, an Environment Agency permit and health and safety requirements.”

Mrs. Watson did not take the opportunity to ask a supplementary question.

**66. MINUTES OF CABINET AND COMMISSIONERS' DECISION MAKING MEETING**

**Resolved:-**

1. That the minutes of the Cabinet and Commissioners' Decision Making Meeting held on 12 September 2016 be received.
2. That the Library Strategy 2016-19 and future service offer be approved.
3. That implementation of the revised savings proposals in respect of the Libraries Service and adjustment to the Medium Term Financial Strategy be approved.

**67. IMPACT OF LEGISLATION ON THE HOUSING REVENUE ACCOUNT BUSINESS PLAN 2016-17**

Consideration was given to a report which introduced a paper considered by the Cabinet at its meeting on 10 October 2016 which detailed the impact of legislation on the Council's Housing Revenue Account Business Plan 2016-17.

It was reported that the Housing Revenue Account (HRA) records all expenditure and income relating to the provision of council housing and related services, and the Council is required to produce a HRA Business Plan setting out its investment priorities over a 30 year period.

Following the introduction in 2012 of HRA self-financing, whereby the Council was awarded control over its HRA in return for taking on a proportion of national housing debt, Rotherham's HRA was in a strong position with a healthy level of reserves. However a number of policies had recently been introduced by central government that will result in a dramatic reduction to HRA resources, namely:

- Welfare Reforms
- Changes resulting from the Housing and Planning Act 2016

It was noted that the cumulative effect of these changes was that £51m of savings were likely to be required by 2020-21 when compared to the previous business plan, meaning that the Council would need to take some difficult decisions about prioritisation, and how to achieve the best outcomes locally for Rotherham residents. Further discussions would be required regarding how best the Council manages social housing and new housing delivery in the future and it was noted that this would be the subject of further reports.

Members debated the wider legislative and policy issues in respect of housing which had been driven by the government's agenda. Reference was made to the 'Spare Room Subsidy', also known as the 'Bedroom Tax' and the impact of this policy on local people, specifically younger people, and the provision of good decent housing. Discussion also took place on the impact of the Homes and Communities Agency moving from the award of grants to loans.

**Resolved:-**

That the report be noted.

**68. NOTICE OF MOTION**

Proposed by Councillor Roche and seconded by Councillor Mallinder:

This Council recognises and values local pharmacies as a vital primary care health service and as an integral part of the fabric of local communities throughout our town.

This Council notes that:

- The 69 pharmacies in Rotherham offer a range of services such as dispensing prescriptions, disposal of unwanted medicines and supporting self-care
- Pharmacies play an important role in promoting wellbeing such as healthy eating, smoking cessation, exercise, flu vaccination, sexual health and more. We already work closely with them
- Advice and support services are also available to care homes
- Several local pharmacies have achieved Healthy Living Pharmacies (HLP) status recognising and evidencing their role in improving the health of their local population.

Rotherham Council is greatly concerned about Government imposed threats to pharmacies as a result of cuts in the budget of £170M nationally to take effect from October 2016. This is a 6% cut in cash terms but could effectively mean a cut of 12% during the financial year which could potentially close up to a quarter of pharmacies with an increased focus on warehousing dispensary and online services. Service cuts in pharmacies put more residents at risk as well as putting pressure on GPs and on hospital services and therefore increasing NHS costs. A fully funded community pharmacy service is cost effective and is in the interests of patients and carers.

This Council therefore resolves to write to the Secretary of State for Health, NHS England detailing our concerns and demanding an immediate reversal of these proposals.

Upon being put to the vote, the motion was carried.

**69. STANDARDS AND ETHICS COMMITTEE**

**Resolved:-**

1. That the minutes of the Standards and Ethics Committee held on 29 September 2016 be adopted.
2. That the Member/Officer Protocol be amended and the Constitution updated accordingly.

**70. AUDIT COMMITTEE**

**Resolved:-**

That the minutes of the meeting of the Audit Committee held on 21 September 2016 be adopted.

**71. HEALTH AND WELLBEING BOARD**

**Resolved:-**

That the minutes of the meeting of the Health and Wellbeing Board held on 21 September 2016 be adopted.

**72. PLANNING BOARD**

**Resolved:-**

That the minutes of the meeting of the Planning Board held on 15 September 2016 be adopted.

**73. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS**

There were no questions received for designated spokespersons.

**74. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN**

**Councillor Simpson** asked "The Rejuvenation of the town centre is very welcomed but some outlying centres like Brinsworth Lane shopping area seem to have been forgotten. Can we make sure that villages and green areas like Aston, Lathe Road (Whiston) and Waverley are retained and protected from over development?"

In response, Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, stated "All areas of retail (town centres, district centres and local shopping centres) are identified in the Local Plan and so the current and future uses are guided by this planning policy document. The Adopted Local Plan Core Strategy has already fixed the amount of development to come forward in each of the areas across Rotherham. This strategic plan is being followed up with the more detailed Sites and Policies document, which is currently going through an independent inspection, to determine exactly which sites will be allocated for future development and which areas will be protected for the future.

As a supplementary question, Councillor Simpson referred to the opportunity to protect natural areas around the Waverley development from over development. Councillor Lelliott responded in agreement with Councillor Simpson's point and offered to meet with him to discuss further outside of the meeting.

**Councillor Sansome** asked: "In light of the announcement by Tata to put its Speciality Steels business with the Brinsworth and Aldwarke sites in Rotherham up for sale, can he provide us an update?"

In response, Councillor Read, Leader of the Council, stated "As was reported in the press last month, Tata is working with interested purchasers of the Speciality Steels business. As you can imagine negotiating the sale and purchase of a business of this size and scale, which is currently part of a larger group of businesses, is a complex process and subject to commercial confidentiality. The Council has worked closely with Tata to support both the business and, importantly, the employees through the restructuring process and we remain in regular contact with the management at Tata. I recognise that these are uncertain times for everyone at Tata, the workforce, and their families particularly in the lead up to Christmas - and that all concerned will be anxious to hear news that the sale process has been brought to a successful conclusion. All I can say at the moment is that discussions on the sale are ongoing and the relevant parties are working hard to conclude matters."

As a supplementary question, Councillor Sansome asked for an update on the work by the Taskforce dealing with people who had been made redundant. Councillor Read referred to the good work done by government agencies and reported that from 720 redundancies support had been provided by RiDO to 323 people and a further 158 people who were deemed to be at risk, but not selected for redundancy. Of the 323:-

- 131 have new jobs or are self-employed (120 employed and 11 self-employed)
- 18 have retired
- 6 are not looking for work for various reasons
- 64 are on training courses
- 21 are waiting for training to be arranged (for a variety of reasons – e.g. start dates for specialist training, some are new to the support process i.e. recently been made redundant)
- 83 for which information is not available – we are continuing to try to make contact with these
- 106 people made claims to Jobseekers Allowance. Only 16 people still claiming JSA, which was considered to be a testament to the value of the support provided.

**Councillor B. Cutts** asked “First demolish 3 new multi-storey council offices. Then move into new rented accommodation at £3million p.a for 30 years plus maintenance. We are not contemplating re-purchasing Forge Island for a reported £1.5million. Can these circumstances be explained as to why it was not concluded under one initial contract?”

In response, Councillor Lelliott stated “The option to redevelop and include Forge Island was included in the tender documentation for the Town Centre Regeneration programme. The Council carried out a 3 Lot procurement exercise to link the development of a new office with regeneration of the sites vacated by the move to the new office and to enable development on Forge Island. There was no single bidder who wished to take on all 3 lots of this exercise. However the linking of these activities resulted in Riverside House, the option to purchase Forge Island and the new Tesco development and Capital receipts for the Council.

**Councillor Buckley** asked “My Ward has seen the expansion of broadband which is very welcome. However residents in my Ward were not prepared for the poor workmanship of Virgins contractors. Will we be ensuring verges and pavements are properly reinstated to their original condition and can penalties be applied?”

In response, Councillor Hoddinott, Cabinet Member for Waste, Roads and Community Safety, stated “Under the New Roads and Street Works Act 1991 (NRSWA), Virgin Media (statutory undertaker) have a right to carry out works within the highway. Rotherham Council acting as Street Authority has powers to inspect all works undertaken by statutory undertakers and their contractors which are laid down in Regulations. Where non-compliance is identified then matters are reported and further follow up inspections (defect charges) may be levied by the Council.

Where grassed areas are excavated the NRSWA allows for them to be reinstated using the original turf, replacement turf or an equivalent soil and seed. The type of reinstatement is at the discretion of the statutory undertaker. In all cases, it is a requirement that a reasonable growth shall be established within the following 12 months.

When determining whether a footway or carriageway reinstatement requires any remedial action, the quality of the reinstatement will be assessed relative to the condition of the adjacent surfaces. Should a reinstatement fail any safety requirements laid down in NRSWA and the associated Code of Practice for Specification for the Reinstatement of Openings in Highways, then the Council will take action to ensure that the surface be restored to comply with the requirements.

Between 01 April and 30 September 2016, we have identified 32 reinstatement defects associated with Virgin Media. We have subsequently undertaken 61 site meetings/inspections. Such inspections are chargeable at £47.50 per inspection, which are set in regulations to cover the reasonable costs incurred by the Council. This equates to a total of £2,897.50 reinstatement defect charges levied against Virgin Media from 01 April to 30 September 2016.

Between 01 April and 30 September 2016, Virgin Media have accepted penalty charges issued by the Council under Section 74 of The New Roads and Street Works Act 1991 for prolonged occupation of the highway (where works have overrun the agreed duration). These penalty charges amount to £17,000.

All the defects have been accepted by Virgin Media and subsequently works will have been programmed to be undertaken by Virgin Media at their cost. The fees generated through this enforcement supports the street works function delivered by the Council.”

As a supplementary question, Councillor Buckley enquired whether residents could have a point of contact to follow up issues as they arose. In response, Councillor Hoddinott explained that residents and councillors could contact Street Pride or herself with complaints or issues.

**Councillor B. Cutts** asked “Why is there extended inconvenience to the public within the “Bus Station” after the fire. Is it due to the prospect of the station being moved?”

In response, Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, stated: "There are no plans to relocate the Interchange, however the car park above the bus station is suffering significant structural problems associated with degradation of the reinforced concrete. The SYPTTE is giving the highest priority to the safety of all users of the interchange and car park. The SYPTTE are working on arrangements for repairing the Interchange and it is likely that work will start on site in the Summer of 2017. When these repair works take place, it will be necessary to implement temporary arrangements for the interchange functions within Rotherham town centre."

As a supplementary question, Councillor B. Cutts referred to the inconvenience being caused by service users not knowing where to go. Councillor Lelliott undertook to provide an explanation in writing to Councillor B. Cutts detailing the period of time required to repair the fire damage to cables.

**Councillor Cowles** asked "I have asked for the costs on the Liquidlogic childcare system in round numbers from commissioners, officers and councillors. To-date I have not received an answer. Will you please provide the information requested and if not state why not?"

In response, Councillor Watson, Deputy Leader of the Council, stated "The cost of the Liquid Logic IT system for both Adults and Children is £3,503,590 over a five year period. The cost of the Children's Liquidlogic IT system is £1,622,875 over a five year period. The 5 year contract with Liquidlogic is from 1<sup>st</sup> July 2015 – 30<sup>th</sup> June 2020.

As a supplementary question, Councillor Cowles queried whether councillors and the public should add 30% to the projected cost of every IT project proposed in future as a result of incompetent management. Councillor Watson indicated that it was unfortunate that the system had not been introduced on time and that lessons had been learned to ensure that such delays could be avoided in future.

**Councillor B. Cutts** asked "Due to the closure of the Council's last two "childrens homes" the emergency sleeping accommodation was transferred to the Council's Riverside Offices, now rehoused elsewhere! Can a site inspection be arranged to see the current arrangements?"

In response, Councillor Watson, Deputy Leader of the Council, stated "Emergency provision for children has never been transferred to Riverside House as you put it. There have been a small number of occasions over the last two years when a young person with very challenging behaviour has been supervised by workers at Riverside House overnight, whilst placements of a specialist nature were being sought at very short notice. The council has developed provision for these extenuating circumstances and I am happy to arrange a site visit to our *very short term* emergency accommodation at your earliest convenience."

As a supplementary question, Councillor B. Cutts referred to the closure of children's care homes as contributing to the issue. In response, Councillor Watson confirmed that the children's homes referred to were still open but were not deemed to be an appropriate environment for the children.

**Councillor Simpson** asked "Why are we cutting social care ("enablers") of Rotherham Elderly including Dementia sufferers, when the need is increasing every day?"

In response, Councillor Roche, Cabinet Member for Adult Social Care and Health stated "The Enabling Service is not being reduced, the newly configured service will in fact be able to deliver more enabling hours than the current service. Currently the contracted hours of the enablers and the way that the service is configured is not very responsive or efficient, for example a high number of staff do not drive and historical fixed rota patterns make deploying staff difficult, the service runs on a high proportion of underutilised hours resulting in a waste of public money. This is the reason that the number of enablers are being reduced to ensure a more efficient service.

As this new service will be more efficient it requires fewer staff to deliver the same number of hours, this will not impact on the quality of the service and we will still be able to meet current and anticipated future demands on this service. Various enabling models have been looked at across the country with what works most effectively being adopted for Rotherham's service, this model has been widely consulted on. The proposed Rotherham model will be able to respond to more people with more complex needs including those with Dementia but with a smaller workforce working on more flexible contracted hours and better rota planning."

As a supplementary question, Councillor Simpson referred to his personal experience of the social care system and made specific reference to a suggestion that was made to contact the Red Cross. Councillor Roche, having expressed concern regarding the suggestion in respect of the Red Cross, explained that his response had been generic due to the wording of the initial question, but would be happy to meet Councillor Simpson to discuss the specifics of his case.

**Councillor B. Cutts** asked "From my personal past experience on the Planning Board the practice was then to discuss and decide on planning applications in public. Now the growing practice of "delegated powers", i.e. Chairman, Vice-Chair and Officer concluding behind closed doors without the public understanding of the conclusion. Why is this?"

In response, Councillor Atkin, Chair of the Planning Board, stated "The Local Planning Authority receives around 1800 planning applications per year and the Councils adopted scheme of delegation determines how these will be decided.

The Government's National Planning Framework - Planning Policy Guidance, sets out that it is in the public interest for the Local Planning Authority to have effective delegation arrangements in place to ensure that decisions on planning applications, that raise no significant planning issues, are made quickly and that resources are appropriately concentrated on the applications of greatest significance to the local area.

Following this national guidance Rotherham's scheme of delegation specifies that different types of applications including: Major applications and any application with 6 or more objections are escalated to Planning Board but over 90% of applications are determined at officer level in order to comply with statutory timescales for determination and ensure efficient processing of applications - which is monitored nationally."

Councillor B. Cutts asked if he could have the response in writing and the Mayor gave an undertaking that a written response would be provided to him. Responding to a supplementary question from Councillor B. Cutts, Councillor Atkin reiterated that he was not responsible for determining what matters went before the Planning Board for determination and that the Scheme of Delegation determined what matters would be determined by Members and officers.

**Councillor Albiston** asked "Off road bikes/vehicles are a real problem in my ward. Causing risks to road users and pedestrians, noise nuisance and tearing up the countryside. What action is being taken to address this growing issue?"

In response, Councillor Hoddinott, Cabinet Member for Waste, Roads and Community Safety, stated "The Police have enforcement powers in relation to the illegal or improper use of motor vehicles and would be the primary enforcing authority in relation to the rider, their behaviour, or any criminal damage they cause to land or property by unauthorised access to land.

However, the Council can ask owners to prevent noise causing a statutory nuisance to neighbouring residents from the use of off road bikes and other vehicles on their land and this may include requiring them to take reasonable steps to secure land from unauthorised access. This would be the same process for unauthorised or illegal use and for businesses that operate more formal off road bike venues. If this fails to prevent a recurring problem the Council has enforcement powers to serve Abatement Notices under the Environmental Protection Act 1990, and potentially prosecute land owners who fail to take reasonable steps.

Partnership working between the police and Council takes place to maximise the use of these combined powers to identify locations and share intelligence. The public can either make reports to the Council or directly to South Yorkshire Police. Additionally, where Council enforcement staff identify individuals engaged in off-road motorbiking, details will be provided to South Yorkshire Police for action. Indirectly, the Council will consider other enforcement action that might be taken to ensure that the individual recognises the consequences of their activity for example in relation to their tenancy if they live in a Council property.

Area Assemblies have been involved in a number of initiatives to tackle off-road motorbikes, including the erection of signage to alleviate the need to issue warning notices on off-road bikers allowing the Police to go straight to seizure. This has had some good results with over 16 motorbikes being seized through this route so far. Additionally, joint operations against off-road motorbikes have taken place through the activity of the Area Assemblies, with participants including Parish Councils, South Yorkshire Police and Council staff. Currently, a draft leaflet is being produced to advise the public of the issues around off-road bikes and advising how they can report issues.

The Council and Parish Councils have provided funding to instigate preventative measures against access onto land by off-road motorbikes, including the erection of A-Frames.

Additionally, where Council enforcement staff identify individuals engaged in off-road motorbiking, details will be provided to South Yorkshire Police for action. Indirectly, the Council will consider other enforcement action that might be taken to ensure that the individual recognises the consequences of their activity for example in relation to their tenancy if they live in a Council property.

Where evidence is sufficient the Council has the option of utilising a number of powers within the Anti-Social Behaviour, Crime and Policing Act 2014. The enforcement tools available include Injunctions where the perpetrator can be required to cease to engage in anti-social behaviour such as off-road motorbike activity. Whilst the Council is required to apply through Court for the Injunction, the Courts are able to attach a power of arrest to the Injunction, which means that should the perpetrator not abide by the requirements of the Injunction then they can face arrest. Currently, whilst the Council has not opted to use this tool, officers have provided witness statements and evidence to South Yorkshire Police to take criminal prosecutions for offences, or to undertake seizures of motorbikes.

The Council and south Yorkshire Police also have the option under anti-social behaviour legislation to consider whether an area should have a Public Space Protection Order (PSPO). The Council must be able to demonstrate that the activities carried out in a public place within the Council's area have had, or are likely to have, a detrimental effect on the quality of life of those in the locality. This activity, must also be, or is likely to be, of a persistent or continuing nature, which is unreasonable, and justifies the restrictions imposed by the notice. Currently the Council have not issued a PSPO in relation to off-road motorbikes, nevertheless it is a consideration where there are persistent and detrimental activity taking place.

If you would like to provide me with full details of the issues affecting your ward, I will ensure that these are followed up."

Councillor Albiston thanked Councillor Hoddinott for her response and asked whether she was confident that the Council and partners were being creative in addressing the issues. In response, Councillor Hoddinott indicated that there were some powers that were not being used and that it would be useful to meet with enforcement and Area Assemblies to look at other tactics.

**Councillor Cusworth** asked "Could you outline how the Council ensures it engages proactively with residents living in our Council houses?"

Councillor Read, Leader of the Council, responded "The resident engagement work undertaken by the Housing Service was recently subject to an external assessment by the Tenant Participation Advisory Service (TPAS) TPAS are recognised as the country's leading experts on tenant and resident participation and are dedicated to improving tenant engagement standards across the country. TPAS offer the only independent evidence-based accreditation scheme that assesses an organisations resident involvement arrangements. The rigorous assessment undertaken recently in Rotherham, tested a range of standards to demonstrate the housing services commitment to resident involvement, ensuring it is effective and offers the best value for money. As a result of the assessment, the housing service was awarded the coveted TPAS Accreditation quality standard, which is significant recognition for the work being done. The TPAS Accreditation is a tremendous endorsement and provides an excellent baseline and recommendations, to enable the Council to continue to deliver a strong focus on involving residents.

The Housing Service also has a long standing working relationship with Rotherham Federation of Communities (commonly known as Rotherfed), which acts as a critical friend and supports the Council in the ongoing management and development of its engagement activity. The Federation worked very closely with the Council during the recent TPAS assessment.

As part of our contract with them, Rotherfed are undertaking, for example, a scrutiny review on the Council's behalf, to look at how the Council can engage with young tenants more effectively. Work is also taking place with Rother Fed and Rush House to develop a Young Tenants Forum.

At a practical level, the Council Housing Service has a range of methods by which it engages with residents, as part of an engagement and involvement framework which has been in place for a number of years. There are various ways residents are involved, for example,

- Support is provided to a network of local Tenants and Residents Associations (TARA's), working with the Council to deal with issues within their neighbourhoods.
- Also, 7 Area Housing Panels, which have been in place for over 20 years and represent tenants and residents in their local area, scrutinising the performance of the Housing Service, contributing to service development and undertaking project activity within their area, predominantly linked to environmental and community safety issues.
- The Quality and Standards Challenge Group, which is made up of tenant representatives and undertakes a range of activity to consider service quality and delivery and ensure that customer insight is reflected in how services are designed and delivered. This includes customer inspectors, customers undertaking telephone surveys to test the quality of service delivered and regular review of identified areas of housing and estate management.
- The Housing Advisory Panel, which meets with the Cabinet Member for Housing and Assistant Director of Housing and Neighbourhoods, to consider and provide comment on a range of key issues facing housing and tenants, both locally and nationally.
- 'Home Matters' the customer housing magazine, which is issued quarterly, covering a range of news stories and housing and community related topics.
- Customer Questionnaires, issued to customers or completed with them at the point of service delivery.
- We currently commission BMG research company to carry out a STAR Survey (Tenants Satisfaction) on our behalf. We have done one this year and will be doing two more. This year's survey showed 83% of our tenants are satisfied with the overall housing service provided by the Council, which is very positive.
- The service is exploring innovative ways of engaging tenants such as online, social media etc. Currently information is being developed on the website and a twitter account as a means of engaging and communicating with tenants online.

Tenant involvement is coordinated by the Neighbourhood Partnerships Service within Housing and Neighbourhood Services. The service has a Tenant Involvement Coordinator, who strategically leads on Tenant Involvement and coordinates activities through the Tenant Involvement Strategy and Tenant Involvement Service Improvement Plan.

As a supplementary question, Councillor Cusworth enquired whether anything different would be done as tenants started to see the changes come through. The Leader of the Council confirmed that he would be happy for Councillor Cusworth to meet with Councillor Beck, Cabinet Member for Housing, to discuss further outside of the meeting.

**Councillor Napper** asked "To what extent can you build an extension onto a house, and are there different rules for different areas of the borough? And how long have these rules been in force?"

Councillor Atkin, Chair of the Planning Board, responded "A house can be extended without the need to apply for planning permission provided a set of limits and conditions are met (Permitted development rights are granted by the Town and Country Planning - General Permitted Development Order 2015). The regime for what is allowed without planning permission applies largely to the dimensions of the original house, the dimensions of the proposed extension, its position on the house and its proximity to the boundaries of the property so the Local Planning Authority would always advise a householder to check before starting any building work.

In relation to extensions which require planning permission each development proposal is considered against the policies of the adopted development plan and guidance issued by the council. In the case of each application it will be considered on its own merit against local and national planning policy and building regulations.

By way of a supplementary remark, Councillor Napper indicated that he did not agree with the answer given as he was aware of rules being flouted and houses being more than doubled in size without planning permission. Councillor Atkin referred to the enforcement powers that the council could exercise as the local planning authority to address such issues and indicated that he would meet separately with Councillor Napper to discuss the specific case referred to.

**Councillor B. Cutts** advised the Mayor that he wished to withdraw his question in respect of minuting supplementary questions at Council meetings.

**Councillor Cusworth** asked "We hear a lot about Rotherham being a child centred borough which is important but since October is "Older People's Month" what is the Council doing to reach out to; to interact with and to support our older people?"

Councillor Roche, Cabinet Member for Adult Social Care and Health, responded "In line with our duties under the Care Act (2015) and an increased focus across the public sector towards a place based approach the Council is committed to a Rotherham wide approach to Ageing Well. Our ambition is that older people and their carer's in Rotherham are supported to be independent and resilient so that they can live good quality lives and enjoy good health and wellbeing.

To deliver on this we have developed a vision and strategy and we are:

- Ensuring that information, advice and guidance is readily available and there are a wide range of community assets which are accessible
- Focusing on maintaining independence through prevention and early intervention (e.g. assistive technology) and re-ablement and rehabilitation
- Improving our approach to personalised services – always putting users and carers at the centre of everything we do
- Developing integrated services with partners and where feasible single points of access
- Ensure we "make safeguarding personal" and everyone's business
- Commissioning services working in partnership and co-producing with users and carers

In order to achieve this vision, it is fundamental that a network of support is created which includes Council services, health services, private and third sector services and voluntary, community and faith groups – as well as friends, family and neighbours. Further, it needs to be recognised that as people grow older, it is ever more important that local facilities and services are well-developed as these are the ones they will look to first and foremost. The Council's commitment is reinforced through strong partnerships enshrined in shared governance such as the Health and Wellbeing Boards and the Better Care Fund. Increasingly, integrated services are seen as the way forward in delivering more personalised and holistic care.

The growth in the number of very elderly people nationally is reflected in Rotherham with a number of our older citizens experiencing complex needs and long-term conditions. Whilst this has meant requirements for more specialist services there is also a recognition that more can be done to avoid citizens becoming dependent by developing preventive rehabilitation services to enable people to regain and maintain levels of independence. This year's Director of Public Health Annual Report due to be published in April 2017 will be on Healthy Ageing.

During 2017 Adult Social Care will be developing an Older Peoples Strategy with older people. We are working closely with Health Watch to reach out and engage with older people for example through engagement in the Older Peoples summit held at New York Stadium on 7 October 2016.

In addition to this I (The Cabinet lead for Health and Wellbeing) tasked Council Officers to develop a Healthy Ageing Framework to drive forwards health and wellbeing activity on the “age well” agenda building on requests from the voluntary and community sector. Consultation on the initial draft of this Framework has taken place with targeted groups of citizens and partners earlier this year. This feedback is being used to shape the framework and our ambition is to develop a shared vision for Healthy Ageing.”

**Councillor Cooksey** asked “As part of the Eastwood Plan the police and the council are working together to tackle the issues in the community. Are we starting to see any tangible results?”

Councillor Hoddinott, Cabinet Member for Waste, Roads and Community Safety responded “The Council and South Yorkshire Police have undertaken a significant amount of enforcement activity within Eastwood following on from the Eastwood Deal. This has covered a wide range of working; from private sector housing enforcement, Selective Licensing activity, ant-social-behaviour, drugs, fly-tipping, and statutory nuisances. Partnership working to address criminal activity within Eastwood is firmly underway and underpinned by the sustainable approach within the plan particularly within the ‘Love My Streets’ initiative, which has been engaging with residents and businesses, and identifying other areas good practise.

Each week a frontline officers briefing takes place which brings together the Council and South Yorkshire Police to share intelligence and ensure appropriate actions are instigated.

Selective Licensing enforcement has ensured that 560 privately rented properties are now registered within the Eastwood scheme. This equates for 50% more than the previously anticipated rented property. Selective Licensing is at the core of the partnership enforcement activity in the area. Already the scheme has resulted in the eviction of a problem tenant by a landlord and complemented the enforcement against tenants to resolve neighbourhood issues. To that end 64 warnings have been given to landlords in relation to the behaviour of their tenants and warning of the potential breach of their licence conditions. These warnings are normally given to landlords when an enforcement action such as warnings or formal notices to the tenant. Landlords are complying with the requests to take action in relation to their tenancy agreements.

Action undertaken since May includes:

- 199 case investigations and over 1,600 actions instigated
- 271 visits/inspections to properties
- 71 Notices served on landlords and tenants
- 10 Prosecutions awaiting a Court hearing.
- Over 200 community warnings issued prior to CPNs issued
- Over 90 properties have completed work identified in served notices
- CCTV has provided evidence in 3 cases of fly tipping and some residents have commented on the reduction of fly tipping in certain areas
- 23 arrests, 14 reported for summons offences and 8 premises warrants executed
- £82,000 worth of drugs recovered, 10 Vehicles seized and £465 in unpaid fines recovered
- A number of CCTV cameras have been installed in the area, which have reduced issues in some of the areas
- Required a landlord to evict a tenant causing issues
- A survey of residents in the area is being undertaken at the moment to identify issues important to local residents
- Stencilled signs have been located around the area
- There is a Lengths man (street barrow) employed to keep the area tidy; but also engages with the local community and is educating some residents with a sense of responsibility
- Working with locals
- In a recent night initiative aimed at the safe guarding of children in the area, children services worked with the police and children's charities to engage with children and their parents who were out late at night
- Working with Clifton Learning Partnership looking at longer term objectives and gaps
- Working with a third party to provide outside funding for a project in the area; more news hopefully to follow about this
- Working with the local primary school creating a number of environmental posters that were displayed over summer in the Riverside Library and Tweeted across council media
- There has been a youth council set up in the area
- A newsletter has been produced which informs residents and partners of updates and actions
- A twitter account and blog is being explored to be used this month in the area
- A business watch is being set up in the area hoping that most businesses will come on board and be able to provide a communication outlet for partners
- Partners are engaging with the mosques in the area and to identify issues and provide a further outlet for information
- Partners are collating mobile phone numbers in order to send text messages about recent updates"