

**CABINET/COMMISSIONERS'  
DECISION MAKING MEETING  
13th February, 2017**

Present:- Councillor Read (in the Chair); Councillors Alam, Beck, Hoddinott, Commissioner Kenny, Lelliott, Commissioner Sir Derek Myers, Commissioner Ney, Roche, Steele and Yasseen.

Apologies for absence were received from Commissioner Bradwell and Councillor Watson.

**161. DECLARATIONS OF INTEREST**

Councillor Lelliott declared a pecuniary interest in Minute No. 175 (Annual Re-applications for Business Discretionary Rate Relief) and left the room during the discussion on this item.

**162. QUESTIONS FROM MEMBERS OF THE PUBLIC**

Questions from members of the public:-

- (1) A member of the public referred to a question last year when he asked whether the Council were prepared to look at CIL's money from the Lidget Lane site on the reversing of Bramley traffic system. It was reported the Cabinet Member would look into this and ask the officers for a report. The member of the public had recently looked at the information on CIL which he had received as a Parish Councillor and there was no mention of it. He asked, therefore, if he could have a copy of the report submitted to the Cabinet Member on this issue.

The Leader confirmed he would ensure a copy of the relevant documentation was provided.

In a supplementary comment the member of the public referred to the CIL report being out of date as it referred to Rosemary Park at Wickersley, which was designated as a development site in the Local Development Plan. A similar issue had also been reported at the last Council Meeting by the Chair of the Parish Council for Dinnington and suggested the documentation be updated.

- (2) A member of the public expressed his concern about how allowances for Commissioners were approved. This was a question he had asked previously and was informed that Commissioner Myers approved those of the other Commissioners and Commissioner Ney approved his. In his opinion the checks and balances were not sufficient.

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He asked, therefore, if this system had been approved by the Chief Finance Officer as the costs associated with the Commissioners was approaching £1m. Accordingly, the member of the public disagreed with the role of Commissioners and the grotesque amounts they were paid. On this basis the member of the public was going to start checking duties that the Commissioners did.

Clarification was sought on whether the Commissioners chose their own duties and referred to Commissioner Myers attending the Parliamentary count in 2015 and the benefit to his attendance given that elections were governed by the Electoral Commission.

He asked if this was a duty that was claimed for would the Commissioner be paying the money back. In order for the member of the public to carry out his checks he asked if the Commissioner would provide diary logs, timesheets and Terms of Reference for the appointment and most importantly give a truthful answer to this.

Sir Derek Myers confirmed he worked to different ethical standards and his honesty and integrity had never been brought into question.

On the question of the Chief Finance Officer the Directions required the Council to make available to Commissioners facilities at their discretion and where best value could be demonstrated for powers to then be restored. It was not for the Council to set any limits, but for the Council to be satisfied that any claim the Commissioners made was justified based on the documentary evidence to receive recompense on hours worked and subsistence costs etc. travel costs etc.

Diary logs were kept and monthly sheets completed as to the number of hours worked. Calculations were based on number of hours, subdivided by ten and rounded down. Most Commissioners worked every day for Rotherham whether reviewing emails, making calls, writing or reading reports.

Diary sheets had been provided under Freedom of Information requests and this avenue was open to the member of the public. The member of the public was also entitled to view any Commissioner claims.

Commissioner Myers confirmed he had not made any claim for the count. He was in Rotherham at the time, played no formal role and was invited by the Returning Officer to view proceedings in pursuit of local democracy.

Commissioner Myers referred to the detailed knowledge of the Commissioner duties by the member of the public, who he believed was incorrect with his comments around the local and parliamentary elections.

- (3) A member of the public referred to a proposed 5% Council Tax rise and the impact on those unemployed who owned their own house like himself who still had to pay a Council Tax. He explained how he was in receipt of £73.10 a week the same as anyone on Jobseekers Allowance and how, if he lived in rented accommodation, he would have no additional tax to pay. He asked, therefore, if it was possible the Council was operating a tax system which was unfair to unemployed home owners forcing them to go to food banks as he had done last year.

The Leader's understanding of the Council Tax system was that a few years ago anyone on benefits was exempt from pay Council Tax altogether. The Government then cut the support to those of working age and had a national intermediate year where it limited the amount of Council Tax contribution of working age unemployed to 8.5%. The Council continued to maintain this scheme and the liability to pay was based in income and cash assets.

The detail of the scheme was not likely to be discriminative to people who owned their properties as opposed to people who rented, but was reliant upon savings and simply required a contributory payment of 8.5% of their council tax bill.

In a supplementary question the member of the public referred to some people going to food banks because of the Council Tax policy due to financial decisions. As the Job Seekers Allowance had not gone up by inflation claimants were under immense financial pressure. The member of the public acknowledged the decisions that had to be made around Council Tax and Business Rates. He was also mindful that in Rotherham the Job Centre did not pass on information to the Council and the Council asked that people dealt with them direct.

The Leader confirmed he would pick up about information sharing with the Job Centre.

However, he appreciated the concerns of the member of the public and offered reassurance that the Council was trying to maintain the level of support against opposition. It was the policy decision by Government to remove the support, a decision which was opposed, given the impact on people on lower incomes. He would make reference to this in his presentation to Council.

**163. MINUTES OF THE PREVIOUS MEETING HELD ON 9 JANUARY 2017**

**Resolved:-** That the minutes of the Cabinet and Commissioners' Decision Making Meeting held on 9<sup>th</sup> January, 2017, be agreed as a true and correct record of the proceedings, subject to Councillor Steele, Chairman of the Overview and Scrutiny Management Board, being included as present.

**164. EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved:-** That under section 100(A) of the Local Government Act 1972, the Public be excluded from the meeting for Minute No. 180 and should the appendices be discussed for Minute Nos. 165 and 175 on the grounds that they involve 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.

**165. APPROVAL OF TENDER FOR THE CONSTRUCTION OF A TWO CLASSROOM BLOCK AND ALTERATIONS TO THE MAIN SCHOOL BUILDING AT LAUGHTON JUNIOR AND INFANT SCHOOL**

Further to Minute No. 66 of the Cabinet and Commissioners' Decision Making Meeting held on 11th April, 2016, consideration was given to the project at Laughton Junior and Infants School, approved as part of the Children and Young People's Service Capital Programme, to construct a new foundation stage classroom block and to create larger classrooms within the main building, to facilitate an increase in the published admission number.

Authority was sought to accept a tender for alteration works and the building of the extension to the School resulting from a competitive procurement exercise.

**Commissioner Kenny agreed:-** That the tender submitted by O. & P. Construction Ltd. for the completion of the alteration works and provision of a new classroom block at Laughton Junior and infant school be approved.

**166. CORPORATE PROPERTY/ ASSET MANAGEMENT HEALTH CHECK**

Consideration was given to the report following the request by the Strategic Director for Regeneration and Environment for a service health check for Asset Management/Corporate Property on joining the Council in the Spring of 2016. This was to provide headline reassurance that the service was operating in the delivery of its Asset Management/Corporate property function in a satisfactory manner and to identify whether there may be any key risks or particular areas for improvement. The health check would enable the authority to prioritise any improvement or particular focus that was required for the service as part of the Corporate Improvement Plan.

The health check was tendered via the Council's procurement service and the contract was awarded to CIPFA Property Services Ltd. CIPFA have completed the health check, which included a number of recommendations that have been incorporated into an action plan, attached as an appendix to the report with the key aspects for Cabinet

and Commissioners being actions and recommendations in the Strategic Section.

**Commissioner Kenny agreed:-** (1) That the health check provided by CIPFA along with the action plan provided in Appendix 1 be approved.

(2) That the recommendations and action plan be implemented and implementation be overseen by the establishment of a Corporate Property and Asset Management Board.

(3) That Cabinet receives quarterly update reports on the progress of the implementation of the action plan.

**167. RATIONALISATION OF THE PROPERTY PORTFOLIO: GREEN SPACE ON ROUGHWOOD ROAD, WINGFIELD (GREASBROUGH YOUTH FOOTBALL CLUB)**

Consideration was given to the report which sought approval for the granting of an Asset Transfer Policy lease agreement to Greasbrough Youth Football Club, without break options, which was a diversion from the Policy.

The Football Club was a very successful voluntary organisation that had already improved facilities and opportunities in the local community, particularly for young people. If they were unable to establish the necessary lease agreement they may have to return their funding and would, therefore, be unable to make further improvements to the site.

Under the Council's current adopted Asset Transfer Policy, all agreements should contain a break option in favour of the Council, in the unlikely but possible event that the asset transferred by way of a lease or licence was required for wider community development directly (the asset or surrounding site itself) or indirectly (for the benefit of a capital receipt).

Without any break options contained within the lease, the Council would only be able to terminate the agreement before the expiry of the fixed 25 year term if the Club were in breach of their obligations under the terms of the agreement.

The site was currently allocated as Urban Greenspace under Rotherham's adopted Unitary Development Plan and had been identified within the Council's Local Plan, which set out a long-term development strategy for Rotherham.

Two options had been considered and Option 2, as detailed in the report, was the recommended option as this would allow Greasbrough Youth Football Club to secure the grant funding as detailed in the report.

**Commissioner Kenny agreed:-** (1) That Option 2 be approved and a section of land at the Roughwood Road Playing Fields be leased to Greasbrough Youth Football Club (GYFC) for a period of twenty-five years, excluding any break clause in order to facilitate the Club's access to external funding.

(2) That the Assistant Director of Planning, Regeneration and Transport be authorised to negotiate the terms of the lease and the Assistant Director of Legal Services be authorised to complete the necessary documentation.

**168. IN HOUSE RESIDENTIAL CARE CHARGES 2017-18**

Consideration was given to a report which detailed the Council's statutory duty to set a maximum charge for residential care accommodation provided in Local Authority Homes. This charge could only be set up to the cost of providing the service.

This report recommended, and which was set out in detail, an increase to the charge to service users for the provision of in-house residential care for older people in 2017/18 in line with the increase in state pension and a reduction in charge for Learning Disabilities residential and respite care users based on the actual cost of providing the service.

**Commissioner Myers agreed:-** (1) That an increase of 2.5% to the weekly maximum charge for In-House residential care for the Older People for 2017/18 be approved.

(2) That a reduction in charges for Learning Disabilities in-house residential and respite provision for 2017/18 as shown in Appendix A be approved.

**169. ANNUAL INFLATIONARY UPLIFT AWARD INDEPENDENT SECTOR CARE HOMES (OLDER PEOPLE)**

Consideration was given to the report which sought agreement to the level of increase in fees for the Independent Sector Residential and Nursing Care Providers (people over 65 years) for the financial year 2017-18.

The report proposed two options to be considered against the context of the Rotherham Care Home Market. The details of the cost, associated impact and risk and how each option was arrived at were set out in detail as part of the report.

There had been representation from the independent sector care home proprietors, but there had been no formal challenge to date. The Council had been consistent in their approach in previous years in awarding an inflationary uplift. However, last year in 2016-17 an inflationary uplift was restricted to residential type care fee component and a slight increase on

the nursing care fee component, which was based on the amount of resource available.

**Commissioner Myers agreed:-** That Option 2 be approved, which constitutes a 3.5% increase to be applied to the Residential, Residential Elderly Mentally Infirm and the Nursing care fee component and a 0% increase to be applied to Nursing Elderly Mentally Infirm care fee component.

**170. 2016/17 CORPORATE PLAN - QUARTER 3 PERFORMANCE REPORT**

Further to Minute No. 26 of the meeting of Full Council held on 13<sup>th</sup> July, 2016, consideration was given to the report detailing Quarter 3 performance for the Corporate Plan.

The Performance Report and Performance Scorecard (Appendices A and B) provided an analysis of the Council's current performance against 14 key delivery outcomes and 103 measures (the Corporate Plan included 86 measures, however, a number of these included different measurable elements). This report was based on the position of available data at the end of December, 2016, along with an overview of progress on key projects and activities which also contributed towards the delivery of the Corporate Plan.

At the end of the third quarter (October – December 2016) 25 measures were progressing above or in line with the target set. Although this represented 24.3% of the total number of measures, performance data showed that 43.9% of measures which have data available for the first quarter were on target. 28.1% (16) of performance measures measured this quarter have not progressed in accordance with the target set (15.5% overall).

Cabinet Members provided an update in accordance with current performance for service areas:-

Councillor Lelliott was pleased to report on the good progress with Tata, the allocation of funding for the new H.E. campus, the acquisition of Forge Island, as well as the notification that McLaren were coming to Rotherham, which would only improve investment opportunities.

Councillor Hoddinott reported on the good progress with universal services following the appointment and work of the new Waste Manager with the number of missed bin collections reducing from 62 missed bins per 100,000 in the summer, above the national average of 60, down to 38 per 100,000 in the last quarter. The Waste Manager and his staff needed to be congratulated on the progress being made.

LGA survey results also showed people were more satisfied with 81% indicating Rotherham as a place to live. This reflected some of the positive work on that performance.

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More negatively domestic violence had seen a 43% increase in reporting since last year, positive in one sense, but assurances would be sought that services could respond to such an increase in the year. An update was to be provided to the Safer Rotherham Partnership on this issue.

There had been some improvement in anti-social behaviour over the last two months and a performance clinic had been held recently with external challenge from partners in South Yorkshire. Again recommendations on this clinic were to be considered by the Safer Rotherham Partnership.

More focus needed to be given to the dip in Fixed Penalty Notices and prosecutions for fly tipping. However, more positively were the increase of Fixed Penalty Notices from 7 to 164 in the last quarter for littering and dog fouling.

Councillor Yasseen reported on the 6% dip in performance for the borrowing of books and other materials and the challenging target of 25,000 users for the whole year. Not covered in this measure were the number of users using their library as community hub, which had seen a 56% increase for learning and I.T. skills.

Unfortunately, to mitigate the dip there had to be a reduction for expenditure of books and as a result two bids for library opportunities for new innovation had been submitted help to limit the cuts having to be implemented in Rotherham.

The team were also looking how to evolve this measure more in line with the vision for next year.

On behalf of Councillor Watson, the Strategic Director for Children and Young People's Services, reported on the good performance reduction for Children in Need, which was an indicator of managing demand for social care more robustly. This saw an increasing proportion of children being placed in family based settings and from the recent thirteen applications for care eleven had been family based.

In terms of Families for Change and the Troubled Families response, 68% of families were being engaged. It was unlikely to hit 100% of families, but every effort would be made to reach 100%. Some of the stretch targets were challenging especially around attendance in school and progress towards employment. This was being monitored closely.

There was no impact on Council budget and the next phase of progress for Early Help would be looked at closely.

There had been a good response to CSE with better work with the Police, tracking the ten most vulnerable children and the Evolve team becoming consistently good.

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The success was also highlighted around foster carers with twenty-one approvals in the last quarter compared with thirty in the last year. There had also been thirty expressions of interest in the last month.

Councillor Roche confirmed many of the targets relating to Public Health were reported on annually. However, he could report on two good news stories and one key area of concern relating to the number of pregnant women who smoked reducing from 19.1% to 12.1% which was just below national average, the 100% target of urgent referrals to Mental Health Services which had been delivered and the area of concern relating to Mental Health non-urgent case target of three weeks, which now had a waiting list. Resources were being realigned and prioritised for this waiting list to reduce.

In terms of Adult Social Care most measures were on track and in many cases on target or above target. The areas of concern related to delayed transfer of care from hospital, number of care assessments and the attempts being made to get this target down.

The target for supporting people with learning disability into employment was slightly below at 5.7% for the target of 6% and consideration was being given as to if the good employment service at Addison Day Care Centre could become borough-wide.

Councillor Beck reported on the good positive progress being made both housing and selective licensing where four out of six targets were being met or on course, which also included both targets on selective licensing.

The two areas of concern were in housing and related to the number of affordable housing units being delivered. This was balanced against the monies generated from the Government on the delivery of starter homes around the town centre and the new shared ownership.

Whilst the other target of delivering 731 new homes in the Borough had not being met, by the end of Quarter 4 it was likely the amount of homes delivered would be the same as in previous years.

The national Housing White Paper was also published last Monday. The contents would be digested and the implications considered on how to deliver affordable homes in Rotherham.

The Chief Executive, as a point of information, clarified that one of the indicators still off track with a red flag rating was 3.A4 (% of license holders that demonstrate adherence to the requirements of the Council's Hackney Carriage and Private Hire Policy). This was to be separated out for the next performance report as three of the measures under this indicator were on target and the one outstanding was the achievement of the BTEC qualification, which was more of a timing issue when the course was to be commenced and completed.

Councillor Hoddinott provided a further update and confirmed 98% of drivers have completed the Council's Safeguarding training and the remaining 2% were currently suspended and, therefore, not eligible to drive a licensed vehicle. 2% of vehicles have not had cameras fitted. The drivers of these vehicles have not been suspended as cameras were not due to be fitted in their vehicles during Quarter three. However, should they not have cameras fitted in their vehicles by the due date they would become automatically suspended from driving their vehicle.

As a further update the Strategic Director for Children and Young People's Services referred to CAMHS and the stretch three weeks target being worked to nationally achieving 60.3% against 49.6 days. Benchmarking material from the Office of the Children's Commission reported variations of 14 days in the North West and 200 days in the West Midlands.

Commissioner Myers was pleased to observe an established, credible, reliable and accurate set of data which had inspired a really important discussion. This system would further mature and provide greater understanding for priorities and targets and which were realistic and achievable. This would be helped further with stimuli and deep dives from scrutiny and provide reassurance. Having an established performance and monitoring system further provided confidence that Rotherham was now in good shape.

**Commissioner Myers agreed:-** (1) That the overall position and direction of travel in relation to performance be noted.

(2) That discussion be given to measures which have not progressed in accordance with the target set and the actions required to improve performance, including future performance clinics.

(3) That the future performance reporting timetable for 2016/17 be noted.

#### **171. BUDGET & COUNCIL TAX 2017-18**

Consideration was given to the report presented by Councillor Read, Leader of the Council, which proposed the Council's Budget and Council Tax for 2017/18 based on the outcome of the Council's Provisional Local Government Financial Settlement, budget consultation and the consideration of Directorate budget proposals through the Council's formal Budget and Scrutiny process (Overview and Scrutiny Management Board) alongside a review of the financial planning assumptions within the Medium Term Financial Strategy.

In setting the proposed 2017/18 Budget, Council were being recommended to an increase of 1.99% in the Council's basic Council Tax and a further 3% increase for the Adult Social Care precept; a combined increase of 4.99% for 2017/18.

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This Budget incorporated over £10m of additional investment in Children's Safeguarding and over £3m of additional direct investment in Adult Social Care alongside indirect budget increases resulting from increased costs of current service provision. It would enable the reinstatement of the Joseph Rowntree Foundation Living Wage rate from April, 2017 for the Council's own staff and would also provide £100k funding to help to partially mitigate the impact of Welfare Reform on the most vulnerable – through the provision of a budget for food parcels and crisis loans.

Whilst doing this, the Budget minimised, as much as possible, the adverse impact on universal services (those which benefited all Rotherham residents as opposed to targeted services for people with specific needs) and also provided some additional income streams related to leisure activities.

The Budget would provide resources to support and enable the delivery of the specific savings included within this report and to assist with the development and delivery of the further £42m savings that were required over the next two financial years.

Following extensive dialogue with Trades Unions it was assumed that the savings in respect of changes to staff terms and conditions of employment would be achieved.

Feedback from both public and partners in relation to the budget proposals were also provided that were published on the Council's website for consultation until 3<sup>rd</sup> January, 2017.

The Section 151 Officer confirmed some of the Council's reserves had been used to balance the budget, but an approach to develop investment and savings options was to be implemented to address the funding gap in the future.

Councillor Alam confirmed the Overview and Scrutiny Management Board had been heavily involved in the scrutiny of the budget, which was confirmed by Councillor Steele, Chairman. He outlined where concern had been expressed, further information sought and could now confirm the Board's overall in support.

**Resolved:- (1) That Council be asked to:-**

- **Approve the Budget and Financial Strategy for 2017/18 as set out in the report and appendices, including the need to deliver £24m of budget savings and a basic Council Tax increase of 1.99%.**
- **Approve the Government's proposals for the maximum Adult Social Care precept of 3% on Council Tax for 2017/18 to fund additional costs and investment in Adult Social Care Services.**

- **Approve the incorporation of the precept figures from South Yorkshire Police Authority, South Yorkshire Fire and Rescue Authority and the various Parish Councils, when known.**
- **Ensure an updated Medium Term Financial Strategy (MTFS) is brought back to Cabinet in 2017/18 after the accounts for 2016/17 have been closed.**
- **Approve the proposed use of reserves as set out in Section 3.5, noting that there may be a variation subject to the Final Local Government Finance Settlement and that the final determination will be approved as part of reporting the outturn for 2016/17.**
- **Approve that any changes resulting from the Final Local Government Finance Settlement be reflected in the Budget report to Council on 8<sup>th</sup> March with the balance of any change being reflected in a change in the required use of reserves.**
- **Notes and accepts the comments and advice of the Strategic Director of Finance and Customer Services (Section 151 Officer), provided in compliance with Section 25 of the Local Government Act 2003, as to the robustness of the estimates included in the Budget and the adequacy of reserves for which the Budget provides (Section 3.9).**
- **Notes the consultation feedback from the public and partners following publication of Directorate budget savings proposals on the Council's website for public comment from 1<sup>st</sup> December 2016 to 3<sup>rd</sup> January 2017 (Section 5).**
- **Approve the use of in-year Capital Receipts to maximise capitalisation opportunities arising from service reconfiguration to deliver efficiencies and improved outcomes for clients and residents, and thereby minimise the impact of costs on the revenue budget as included in the Flexible use of Capital Receipts Strategy 2017/18 (Appendix 5).**
- **Approve the proposed Capital Strategy as presented in Section 3.7 and Appendix 3A and 3B, to a value of £280.240m. This requires prudential borrowing of £49.636m to fund non-HRA schemes over the five year period, for which provision has been made in the revenue budget for the associated financing costs.**
- **Approve the management of the Capital Strategy budget in line with the following key principles:-**

- (i) Any underspends on the existing approved Capital Programme in respect of 2016/17 be rolled forward into future years, subject to an individual review of each carry forward by the Strategic Capital Investment Group.
  - (ii) In line with Financial Regulation 13.8, any successful grant applications in respect of capital projects will be added to the Council's approved Capital Programme. This will include projects that are included within the Development Pool, where funding has yet to be identified.
  - (iii) Capitalisation opportunities and capital receipts flexibilities will be maximised, with capital receipts earmarked to minimise revenue costs.
- Approve the prudential indicators and limits for 2017/18 to 2019/20 contained in this report. (Appendix 4 – Section 3.1 – 3.4)
  - Approve the Minimum Revenue Provision Policy Statement which sets out the Council's policy (Appendix 4 – Annex A).
  - Approve the Treasury Management Strategy for 2017/18 to 2019/20 and the Authorised Limit Prudential Indicator (Appendix 4 – Section 3.5); and,
  - Approve the Investment Strategy for 2017/18 to 2019/20 (Appendix 4 – Section 3.5.5).

**172. CRISIS SUPPORT (LOCAL WELFARE PROVISION)**

Consideration was given to the report which detailed how the Local Welfare Provision (LWP) commenced in April 2013, following the end of community care grants and crisis loans under the Discretionary Social Fund.

The Government provided funding in the first two years (2013/14 and 14/15), but since then resources have been provided on an annual basis from recycled and unspent local welfare funding.

The current provision by the Council included:-

- Crisis loans administered by LASER Credit Union at zero interest;
- Provision of food by FareShare Yorkshire to local Community Food Members; and
- Support for the "Food in Crisis Partnership" of local providers, including provision of small grants.

This report, therefore, provided recommendations for ongoing support in 2017/18. These included requested exemptions from Standing Orders for the letting of contracts, following soft market testing demonstrating that there was no competitive market for the provision of these services.

The award of these contracts would be subject to the proposed 2017/18 budget being approved by Council on 8<sup>th</sup> March, 2017.

**Resolved:-** (1) That, pursuant to Standing Order 46 (contracts not requiring tendering/value below £50,000) on the grounds that the conditions in Standing Order 47 were met, a contract be awarded in the value of £30,000 for 2017/18 to FareShare Yorkshire Limited for the provision of ambient food to Rotherham Community Food Members, on the same terms as the current contract.

(2) That, pursuant to Standing Order 38 (Exemptions), Standing Order 48 (contracts valued at £50,000 or more) be waived with regard to the provision of crisis loans to be administered by LASER Credit Union for the financial year ended 31st March, 2018, and that a contract be awarded in the value of £60,000 on the same terms as the current service level agreement and same eligibility criteria for access to loans.

(3) That further work be undertaken to regularise the referral pathways for crisis loans, ensuring that people meet the eligibility criteria before referral to LASER Credit Union.

(4) That £10,000 be awarded to Voluntary Action Rotherham for support and co-ordination of the wider Food in Crisis Partnership to enable partnership work across crisis food provision, including the continuation of small grant awards.

### **173. DEVOLUTION UPDATE**

Consideration was given to a report which provided a full update following the endorsed principle by Council for the Sheffield City Region Devolution Agreement and delegated authority to the Chief Executive (in consultation with the Leader and Commissioners as appropriate) to consent to an order providing for the creation of the mayoral combined authority, but not an order conferring any functions on the mayoral combined authority.

**Resolved:-** That the current position on implementation of the Sheffield City Region Devolution Deal be noted.

### **174. DECEMBER FINANCIAL MONITORING REPORT 2016-17**

Consideration was given to the report which set out the financial position for the Revenue Budget at the end of December, 2016 and was based on actual costs and income for the first nine months of the financial year and forecasted costs and income for the remaining three months of 2016/17.

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The revenue position, before adjusting for the additional budget allocation approved by Council on 7<sup>th</sup> December, 2016 showed a forecast overspend of £10.391m after currently identified management actions. The additional in-year budget approval had reduced the forecast overspend down to £2.543m. The forecast overspend had increased by £768k since the November report.

It was currently anticipated that around £1.0m of the forecast overspend could be funded from in-year capital receipts and a further £1.2m of spend in relation to Highways could be capitalised. Therefore, based on the current forecast, this would reduce the potential call on reserves to £343k.

The additional budget approval had to be funded and the extent to which in-year revenue spend across the whole Council could not be reduced, would inevitably impact the Council's reserves.

The December Council report approved additional in-year funding to address pressures, predominantly in Children's Services (£7.848m) and £608k for new investments for Adults, Children's and Corporate Services which would enable the delivery of significant savings in future years. The report also approved additional funding for 2017/18 of £11.005m which had been built into the Medium Term Financial Strategy and specific budget plans for next year.

Appendix 1 to this report showed the detailed reasons for forecast revenue under and over spends by Directorate after management actions which have/were already being implemented.

### **Resolved:-**

#### **Revenue**

(1) That the current 2016/17 forecast overspend of £343k after management actions, use of in-year capital receipts, capitalisation of highways spend and the allocation of additional in year budget. (Paragraph 3.1) be noted.

(2) That the specific actions being implemented to challenge planned spend between now and the end of March to reduce the forecast overspend and minimise the call on reserves. (Paragraph 2.7) be noted and endorsed.

(3) That any additional actions be recommended which could be implemented to help manage down the current forecast overspend.

(4) That a detailed Dedicated Schools Grant (DSG) High Needs Sufficiency Strategy and Financial Plan to address the remaining deficit and future level of service provision be noted, which would now be discussed and consulted upon at the 10<sup>th</sup> March, 2017 Schools Forum meeting. (Paragraph 3.14).

**175. ANNUAL RE-APPLICATIONS FOR BUSINESS DISCRETIONARY RATE RELIEF**

Consideration was given to a report which set out seventy renewal applications for the award of discretionary business rate relief for the organisations and premises listed in the attached appendix to this report.

This was in accordance with the Council's Discretionary Business Rates Relief Policy (approved 12th December, 2016).

**Resolved:-** That the applications for discretionary business rate relief for the organisations listed in Appendix 1 of this report, in accordance with the details set out in Section 7 to this report, be approved for one year only.

(Councillor Lelliott declared a pecuniary interest and left the room during the discussion on this item)

**176. AMENDMENTS TO THE HOUSING ALLOCATIONS POLICY**

Consideration was given to the report which detailed the proposed amendments to the Housing Allocations Policy, following a period of review and consultation, and which would come into force from 1<sup>st</sup> May, 2017.

Six amendments were recommended which aimed to increase tenancy sustainability, take into account lessons learned over the past twelve months, changes brought about by the Welfare Reform and Work Act 2016, give priority to under thirty-five year olds and to prepare for the Homelessness Reduction Bill.

At the same time six amendments are recommended which aim to increase tenancy sustainability, take into account lessons learned over the past twelve months, changes brought about by the Welfare Reform and Work Act 2016 and to prepare for the Homelessness Reduction Bill:-

- a. Introduction of a programme of pre-tenancy workshops and support for all prospective new tenants that either have no prior experience of managing a tenancy, or have previously had a failed tenancy. This should significantly improve tenancy sustainment levels particularly for vulnerable young people.
- b. Introduction of pre-housing register housing options interviews which will give new customers an opportunity to learn about Rotherham Council homes and other affordable housing options. It also helps us to understand the needs of our customers, giving tenancies the best possible start

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- c. Stop tenants from applying to transfer within the first twelve months of their tenancy. The current transfer policy will be amended from 2 years waiting to 1 year. This will give some flexibility of movement for Social Housing tenants and prevent tenants from moving to low demand properties via band 4.
- d. Since the current Allocations Policy was implemented in August 2015 there has been an increase in the number of tenants requesting a housing transfer in Band 4 within the first two years of their tenancy. It is therefore proposed to place restrictions on tenants transferring within the first year of their tenancy.
- e. Setting rent allowances at a consistent level for existing tenants and new tenants, by either issuing a rent allowance of up to a maximum of five working days or stopping the use of rent allowances for new lettings and transfers. Currently, existing tenants who transfer to another home within the Council's stock are allocated an allowance of a minimum of 14 days, whereas new tenants are allocated an allowance of a maximum of five working days.
- f. Giving preference in the Allocation Policy to single people under the age of 35 for bedsits. This will help single applicants under the age of 35, who will be affected by the introduction of the Local Housing Allowance single room rate in April 2018, to access affordable accommodation.
- g. Setting housing register qualification criteria that does not disqualify homeless households that are owed a reasonable preference from joining the housing register. In short, if the local authority decides that a person is owed a reasonable preference under homelessness legislation, the residency local connection criteria should allow the applicant to join the register.

**Resolved:-** That the changes to the Allocation Policy be approved to commence on 1st May, 2017 as follows:-

1. Mandatory requirement for applicants who have no experience of running their own home, or where a previous tenancy has failed, to attend a pre-tenancy workshop.
2. Mandatory requirement for all applicants to undertake a housing options interview before joining the housing register.
3. New tenants should not be allowed to apply to transfer within the first twelve months of their tenancy. However, it is recommended that Housing Assessment Panel have delegated powers to overrule this policy for individual cases where there are exceptional circumstances.

4. No rent allowances are issued to new tenants or existing Council tenants. However the Housing Options Manager, and the Housing Advice and Assessment Manager have delegated powers to overrule this policy for vulnerable applicants where there is a justification for more time to move into a property.
5. Bedsits are let to single people or couples giving preference to single people under the age of 35.
6. Include homeless applicants owed a reasonable preference to the list of applicants who are exempt from the Local Connection Criteria rules.

**177. ALLOTMENT RENTS 2018-19**

Consideration was given to the report which sought Cabinet approval to increase allotment rents for the 2018-19 financial year

**Resolved:-** (1) That allotment rents for the 2018-19 financial year be approved and set at levels shown in Appendix 1 (Option 2).

(2) That officers in Leisure and Green Spaces write to existing allotment tenants to advise them of the new rents, at least twelve months in advance of their introduction on 1<sup>st</sup> April, 2018.

**178. PROPOSAL TO PERMANENTLY REMOVE PUBLIC PHONE BOXES IN THE BOROUGH**

Consideration was given to the report which detailed how British Telecommunications had proposed the removal of forty-eight public telephone boxes around the Borough which they considered to be no longer viable to maintain in use.

Under Ofcom guidance the Council was required to undertake a two stage public consultation on the proposal. After considering comments, raised from the consultation process, the Council would provide a final decision on any telephone boxes which it was in agreement with that British Telecommunications could then remove or any which it considered should remain in active use for public calls.

The Council had undertaken consultation and was now in agreement to the removal of twenty-five of the forty-eight phone boxes. Twenty-three were proposed for retention for public calls under the local veto, the details of which were set out as an appendix to the report. Details of the internally derived criteria was provided, which included:-

- Whether phone boxes are recorded as having had 52 or more calls in 12 months (this is equivalent to one call per week which is considered to be a reasonable level of usage).
- Whether phone boxes are close to areas where highways injury

incidents have been recorded.

- Whether the subject is a red phone box (typically a "K6" box) located in a Conservation Area.
- Whether sites are located in areas at high risk of flooding.
- Whether phone boxes are in areas with a high level of population over 75 years of age, is in an area of below national average home ownership and has fewer than 50 properties within 400 metres.

Councillor Steele confirmed this report had been received by the Overview and Scrutiny Management Board as an urgent item as part of the pre-scrutiny process. In line with Ofcom guidance the Council had consulted on the proposals, but it was not always clear who consultees had been and it was suggested this be improved in the future. No objections were, therefore, raised with the proposals.

**Resolved:-** That the closure of public phone boxes in the Borough be approved and a veto be exercised where an objection has been detailed in Appendix 1.

## **179. THE ROTHERHAM COMPACT**

Consideration was given to the report which detailed progress on Action D18 in the Council's Phase Two Improvement Plan which was to: "Agree a new Rotherham MBC/voluntary sector partnership 'Compact' in consultation with the sector and wider partners". The Compact was a mutually agreed document which set out working together for the benefit of communities and citizens.

There was a national Compact between the government and voluntary/community sector. The Rotherham Compact was an agreement between the public sector partners in the Rotherham Together partnership and the voluntary and community sector (VCS).

There was no statutory requirement to have a local Compact – it was a voluntary agreement - but it did provide a useful framework of principles and commitments for both public sector organisations and VCS groups. Once it was endorsed, there would be a reasonable expectation that the parties to the Compact would comply with the commitments and principles detailed within the document.

The Compact recognised the value that Rotherham's VCS brought to the Borough. Research showed that the VCS employed 2,100 full-time paid and 1,500 part-time paid staff. There were 49,000 volunteer roles and 12,300 committee/board members, together providing 85,300 hours of volunteering per week. The sector's overall contribution to the local economy was estimated as £187 million per year.

The Compact particularly reaffirmed the VCS as equal partners, who often have a unique understanding and relationship with some of the Borough's most vulnerable people.

A Compact Working Group to oversee the refresh was convened in June, 2016 and consisted of members nominated by the VCS strategic representatives group and public sector partners. The Compact was updated and a new consultation draft was prepared. Consultation of the Compact took place over a 12 week period which ended on 3<sup>rd</sup> November, 2016. Following further revisions incorporating feedback from the consultation, a final version was submitted for endorsement.

**Resolved:-** (1) That the work completed to refresh the Rotherham Compact, including feedback from the consultation exercise, be noted.

(2) That the Rotherham Compact be endorsed.

(3) That the intention to launch the Rotherham Compact, subject to endorsement by all public sector partners, on 29th March, 2017 be noted.

**180. ANNUAL INFLATIONARY UPLIFT AWARD INDEPENDENT SECTOR HOME CARE SERVICES**

Consideration was given to the report which sought agreement to the level of increase in the hourly rate paid to contracted Independent Sector Community and Home Care Services (Domiciliary Care) providers for the financial year 2017-18.

There were 3 options put forward in this paper with the recommendation that option 3 be approved and if approved could see current providers of community and home care services receive a variable percentage increase on existing hourly rates ranging from 0% up to 6%, and a uniform uplift for all current providers of night visiting services of 3.92%

The details of cost, associated impact, risks and how the recommended options was arrived at were set out in detail as part of the report.

**Commissioner Myers agreed:-** That Option 3 be approved (set out in section 7.1) for an annual inflationary uplift of 6% on the two lowest existing hourly rates, a 3.92% increase on all other existing hourly rates; and a 3.92% inflationary uplift to the night visiting contract value from 6th April, 2017.

Exempt under Paragraph 3 of the Act – information relates to the financial or business affairs or any particular person (including that authority holding that information)