

**COUNCIL MEETING
19th May, 2017**

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

1. ELECTION OF CHAIRMAN

Resolved:- That Councillor Eve Rose Keenan be elected Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that she be entitled to the style of Mayor by virtue of Section 245(1) of the Local Government Act 1972.

Mover:- Councillor Hoddinott

Seconder:- Councillor Clark

Councillor Keenan thereupon made and subscribed the statutory declaration of acceptance of office.

(Councillor Keenan assumed the Chair)

2. VOTE OF THANKS TO THE RETIRING MAYOR (COUNCILLOR LYNDSEY PITCHLEY)

Resolved:- That the Council tender its sincere thanks to Councillor Lyndsay Pitchley for the excellent manner in which she has carried out all her duties as Mayor of the Metropolitan Borough of Rotherham and that the best thanks of this Council be recorded for the kind and admirable way in which Mr. Alex Armitage performed the duties of Consort.

Mover:- Councillor Taylor

Seconder:- Councillor Russell

3. ELECTION OF VICE-CHAIRMAN

Resolved:- That Councillor Alan Buckley be elected Vice-Chairman of the Rotherham Borough Council for the ensuing Municipal Year and that he be entitled to the style of Deputy Mayor by virtue of section 245(1) of the Local Government Act 1972.

Mover:- Councillor Taylor

Seconder:- Councillor McNeely

Councillor Buckley thereupon made and subscribed the statutory declaration of acceptance of office.

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4. ANNOUNCEMENTS

There were no announcements to report.

5. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ellis, Jones, Price, Roche, Sansome, John Turner and Vjestica.

6. PETITIONS

The Mayor reported that one petition had been submitted, but had not met the threshold for consideration by Council, and would be referred to the relevant directorate for a response to be prepared:-

- From 313 residents requesting access into Beech Road, Avenue Road and Sandymount Road through the removal of a pub fence to facilitate a safer walking route.

7. COMMUNICATIONS

There were no communications to report.

8. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

9. MINUTES OF THE PREVIOUS COUNCIL MEETING

Resolved:- That the minutes of the meetings of the Council held on 8th March, 2017 be approved for signature by the Mayor.

Mover:- Councillor Read

Seconder:- Councillor Watson

10. MINUTES OF CABINET AND COMMISSIONERS' DECISION MAKING MEETINGS

Resolved:- That the reports, recommendations and minutes of the meetings of the Cabinet/Commissioners' Decision Making Meetings held on 13th March and 10th April, 2017, be received.

Mover:- Councillor Read

Seconder:- Councillor Watson

11. **RECOMMENDATION FROM CABINET - REVIEW OF NEIGHBOURHOOD WORKING**

Further to Minute No. 206 of the meeting held on 10th April, 2017, Councillor Yasseen outlined the aim the review which would herald the introduction of “a new model of citizen engagement and neighbourhood working linked to a review of Area Assemblies” to provide a focus on communities and introduce a new way of working.

The revised model of neighbourhood working would focus more on Ward level working, accountability and governance following a cross-party working group which had welcomed input and contributions to the process of developing the new neighbourhood strategy and model.

Councillors Cowles, B. Cutts and Jepson were unable to offer their support to the proposals as it was felt, whilst the move was in the right direction, it lacked structure and framework and required more clarity.

Councillors Cusworth, Steele and Watson expressed their surprise as this report had been presented as part of the pre-scrutiny process for discussion and would facilitate the formation of distinct Ward plans for the future with the support of the devolved budget.

Resolved:- (1) That £210k be added to the Capital Programme in 2017/18, to be funded from capital receipts, and that this budget be reviewed as part of the overall corporate budget setting process for 2018/19.

(2) That the Constitution be amended to:-

- Remove the reference to Area Assemblies in the heading of Part III of the Constitution and delete Article 12 of the Constitution [Area assemblies and area assembly co-ordinating groups]
- Remove references to Area Assemblies and Area Assembly Co-ordinating Groups from the Executive Procedure Rules
- Delete Rule 16(6),(7) and (8) [Conflicts of interest – membership of Area Assembly Co-ordinating Groups and Overview and Scrutiny Committee] and references to “Chairs of Area Assemblies” and all other references to “Area Assemblies” in the Overview and Scrutiny Procedure Rules
- Delete references to area committees in the Access to Information Procedure Rules
- Delete references to area committees and Area Assembly Co-ordinating groups in the Standing Orders.
- Delete references to area committees in the Code of Conduct for Members and Co-opted Members
- Delete the reference to Chair of Area Assembly in the Members’ Allowances Scheme

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- Remove references to area assemblies from the Scheme of Delegation for Members and Officers

Mover:- Councillor Yasseen

Seconder:- Councillor Hoddinott

12. RECOMMENDATION FROM CABINET - REVIEW OF PETITION SCHEME

Further to Minute No. 201 of the meeting held on 10th April, 2017, Councillor Read, Leader, highlighted the suggested changes to the Petitions Scheme as recommended by the Cabinet. This included:-

20 signatures	To be considered as a petition.
20 signatures	For a call for action to be regarded as a formal petition and presented to the Mayor at Council.
600 signatures	For an officer to be required to give evidence to Overview and Scrutiny.
2,000 signatures	For a petition to be debated at a Council meeting.

It was also recommended that all received petitions would need to be logged on the website, clearly indicating what action had been taken.

Resolved:- That the associated constitutional changes in respect of the Petitions Scheme be incorporated within the external review of the Constitution being undertaken by the Association of Democratic Services Officers.

Mover:- Councillor Read

Seconder:- Councillor Watson

13. REVIEW OF THE CONSTITUTION

Consideration was given to a report which detailed how, following the adoption of the recommendations from the Governance Review at the Annual Meeting in 2016, a number of subsequent amendments to the Constitution of the Council have been made during the 2016-17 municipal year. In addition to this, an external review of the Council's Constitution had been commissioned by the Monitoring Officer, on behalf of the Constitution Working Group. This work was being undertaken by the Association of Democratic Services Officers, the professional body for governance and democratic services professionals.

Following the restoration of decision making powers in respect of the appointment of Councillors to serve on outside bodies, it was proposed that the Council formally adopt procedure rules which would enable the Authority to discharge its responsibilities.

Resolved:- (1) That the final report in respect of the external review of the Constitution be submitted to the next meeting of the Council on 12th July, 2017 following detailed consideration of the interim report and further proposals by the Constitution Working Group.

(2) That the Procedure Rules for the Appointment of Councillors to Serve on Outside Bodies be incorporated within Standing Orders (Appendix 4 of the Constitution).

Mover:- Councillor Read

Seconder:- Councillor Watson

14. MEMBERSHIP OF POLITICAL GROUPS ON THE COUNCIL, POLITICAL BALANCE AND ENTITLEMENT TO SEATS

Consideration was given to a report which detailed how Section 15 of the Local Government and Housing Act 1989 placed on local authorities the duty to allocate seats to political groups and set out the principles to be followed when determining such allocation following formal notification of the establishment of political groups in operation on the Council.

There was a requirement to annually review the entitlement of the political groups to seats on the committees of the Council. This was also required following the by-elections in Brinsworth and Catcliffe and Dinnington Wards in February, 2017.

The allocation of seats must follow two principles:-

- (a) Balance must be achieved across the total number of available seats on committees; and
- (b) Balance must be achieved on each individual committee or body where seats are available.

There were presently two political groups in operation on the Council – the Labour Group and the UK Independence Party Group – with two non-aligned Councillors (members who were not in a political group).

There were 169 seats available on committees, boards and panels and under the calculation the Labour Group was entitled to 129 seats and the UK Independence Group entitled to 35. This left 5 seats which could not be given to members of the political groups and should be allocated to the 2 non-aligned councillors.

Resolved:- (1) That the operation of two political groups on the Council and the detail of their designated Leaders be noted.

(2) That the entitlement of the membership of the political groups be agreed and such entitlements be reflected in Council's appointments of members to committees.

(3) That approval be given to the appointment of Members to committees, boards and panels, and the appointment of Chairs and Vice-Chairs, as set out on the schedule tabled at the meeting as follows:-

EXECUTIVE

Leader of the Council	Councillor Read
Deputy Leader (Lead for Children's Services)	Councillor Watson
Cabinet Member, Corporate Services & Finance	Councillor Alam
Cabinet Member, Housing	Councillor Beck
Cabinet Member, Waste, Roads and Community Safety	Councillor Hoddinott
Cabinet Member, Jobs and the Local Economy	Councillor Lelliott
Cabinet Member, Adult Social Care & Health	Councillor Roche
Cabinet Member, Neighbourhood Working and Cultural Services	Councillor Yasseen

REGULATORY BOARDS

**Standards and Ethics Committee:-
(8 Council Members)**

Councillor Allen (Vice-Chairman)	Councillor Khan
Councillor Andrews	Councillor McNeely (Chairman)
Councillor Brookes	Councillor Simpson
Councillor Ireland	(One UKIP Vacancy)

Independent Members:-

Ms. A. Dowdall	Mrs. C. Saltis
Mr. P. Edler	Vacancy
Ms. J. Porter	

Parish Council Representatives:-

Councillor D. Bates	Councillor R. Swann
Councillor D. Rowley	

**Licensing Board:-
(21 Members)**

Councillor Beaumont (Vice-Chairman)	Councillor Senior
Councillor Buckley	Councillor Sheppard
Councillor Clark	Councillor Steele
Councillor Elliot	Councillor Taylor
Councillor Ellis (Chairman)	Councillor Wilson
Councillor Fenwick-Green	Councillor Williams
Councillor Hague	Councillor Wyatt
Councillor Jones	Councillor Vjestica

Councillor McNeely
Councillor Napper
Councillor Reeder

(One UKIP Vacancy)
(One non-aligned Vacancy)

**Licensing Committee:-
(15 Members drawn from Licensing Board)**

Councillor Beaumont
(Chairman)
Councillor Buckley
Councillor Elliot
Councillor Ellis (Chairman)
Councillor Fenwick-Green
Councillor Hague
Councillor Jones
Councillor Napper

(Vice- Councillor Reeder
Councillor Senior
Councillor Taylor
Councillor Wilson
Councillor Williams
Councillor Vjestica
(One non-aligned Vacancy)

Planning Board:-

(15 Members)

Councillor Andrews
Councillor Atkin (Chairman)
Councillor Bird
Councillor D. Cutts

Councillor M. Elliott
Councillor Fenwick-Green
Councillor Ireland
Councillor Jarvis

Councillor Price
Councillor Taylor
Councillor John Turner
Councillor Tweed (Vice-
Chairman)
Councillor Walsh
Councillor Whysall
Councillor Vjestica

Substitutes

Councillor Brookes
Councillor Khan

Councillor Mallinder
Councillor Sheppard

**Audit Committee:-
(5 Members)**

Councillor Cowles

Councillor Evans
Councillor Sansome

Councillor Walsh (Vice-
Chairman)
Councillor Wyatt (Chairman)

SELECT COMMISSIONS

Overview and Scrutiny Management Board:-

Councillor Brookes
Councillor Clark
Councillor Cowles (Vice-Chairman)
Councillor Cusworth
Councillor Evans
Councillor Mallinder
Councillor Napper
Councillor Sheppard
Councillor Short
Councillor Steele (Chairman)
Councillor Walsh
Councillor Wyatt
(12 Members)

Health:-

Councillor Allcock
Councillor Andrews
Councillor Bird
Councillor R. Elliott
Councillor Ellis
Councillor Evans (Chairman)
Councillor Ireland
Councillor Jarvis
Councillor Keenan
Councillor Marriott
Councillor Rushforth
Councillor Short (Vice-Chairman)
Councillor Tweed
Councillor Whysall
Councillor Williams
Councillor Wilson
(18 Members)

Improving Lives:-

Councillor Allcock
Councillor Beaumont
Councillor Brookes
Councillor Clark (Chairman)
Councillor Cooksey
Councillor Cusworth (Vice-Chairman)
Councillor Elliot
Councillor Fenwick-Green
Councillor Hague
Councillor Jarvis
Councillor Khan
Councillor Marles
Councillor Marriott
Councillor Napper
Councillor Pitchley
Councillor Sansome
Councillor Senior
Councillor Short
(18 Members)

Improving Places:-

Councillor Albiston
Councillor Allen
Councillor Atkin
Councillor Buckley
Councillor B. Cutts
Councillor Elliot
Councillor Jepson
Councillor Jones
Councillor Mallinder (Chairman)
Councillor McNeely
Councillor Price
Councillor Reeder
Councillor Sheppard (Vice-Chairman)
Councillor Taylor
Councillor Julie Turner
Councillor Vjestica
Councillor Walsh
Councillor Wyatt
(18 Members)

REPRESENTATIVES ON JOINT AUTHORITIES

SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

Councillors Atkin and Buckley

**BARNSELY, DONCASTER, ROTHERHAM AND SHEFFIELD
COMBINED AUTHORITY**

Transport Committee – Councillors Lelliott and Williams

SOUTH YORKSHIRE PENSIONS AUTHORITY

Councillors Ellis and Wyatt

SOUTH YORKSHIRE POLICE AND CRIME PANEL

Councillors B. Cutts and Sansome

15. NOTICE OF MOTION

No motions had been submitted.

16. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

Councillor Carter referred to there being a few high profile fires in the area recently since the second overnight pump was cut and asked would the Spokesperson push for the second pump to be reinstated to guarantee our area was safe from fires?

Councillor Atkin confirmed South Yorkshire Fire and Rescue Service remained committed to providing the best possible service to the people of South Yorkshire within the financial resources which were available. It was through the risk profiling and Integrated Risk Management Plan processes that having the right resources in the right place at the right time continued in order to provide the best possible service. This included the Service's response model and appliance availability at Rotherham Community Fire Station.

The transition of moving from 2 whole time crewed appliances at Rotherham to one during the night was as a result of the implementation of the 2013/2017 Integrated Risk Management Plan (IRMP) together with significant statistical analysis and risk modelling. The IRMP was agreed by the Fire Authority in response to the cuts in Government funding which had seen the Service budget reduce by £12M during this current period of austerity.

The recent high profile incidents attended by South Yorkshire Fire and Rescue Service all received a swift, professional response from fire control, appliances, officers and specialist vehicles, and required a significant number of resources to bring them to a safe and timely conclusion.

To ensure that the nearest available appliances were mobilised, the mobilising system used an Automatic Vehicle Locating System (AVLS). These incidents drew from the Service's resources across the county (as well as neighbouring counties) and at the same time the Service

successfully dealt with other ongoing incident demand. These included high rise incidents and house fires in other areas of South Yorkshire.

In a supplementary question Councillor Carter again referred to the Integrated Risk Management Plan from 2013 and the one currently being considered and asked was the review of this second pump overnight going to be included for reconsideration by the Fire Authority.

Councillor Atkin responded by confirming the Integrated Risk Management Plan had been approved by the Fire Authority and the separate issue consulted upon.

17. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRMEN

(1) Councillor Napper asked what was the nature and role of the Emergency and Safety Department of R.M.B.C.?

Councillor Alam confirmed the Emergency and Safety Team comprised of 2 distinct elements of the Emergency Planning Shared Service and the Health and Safety Team.

The Emergency Planning Shared Service was established in June 2011, and ensured the equal delivery of both Emergency Planning and Business Continuity functions within Rotherham Metropolitan Borough Council and Sheffield City Council. The main duties of this service were to discharge the Council's statutory functions under the Civil Contingencies Act 2004 and ensure both authorities were resilient to a wide range of disruptions and able to respond effectively should a major incident occur.

The Health and Safety Team's primary role was to ensure Rotherham Metropolitan Borough Council discharged its duty as set out in the Health and Safety at Work Act 1974 and associated legislation.

In a supplementary question Councillor Napper referred to an issue at Woodlathes and an unsafe heavy duty fence leaning over the pavement. As a result of no response from the Health and Safety Team, the Public Rights of Way Officer followed up the query and on further inspection served an Emergency Notice for action on the fence within 24 hours. Ownership of the fence was not clear at that stage, but Councillor Napper confirmed he was concerned for public safety which was the reason for his initial contact with the Health and Safety Team.

Councillor Alam responded and asked if he could be forwarded the details and he would follow up, although the matter had since been resolved.

(2) Councillor Jepson asked what support was the Council intending to give to Anston Park Junior School since Ofsted gave it an overall rating of 'Requires Improvement' following its recent inspection in April of this year and given that this was the same rating as the previous inspection carried out in February of 2015.

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Councillor Watson confirmed that following the inspection of Aston Park Junior School it was again identified as “Required Improvement”. However, the report set out that the school was an improving school with the capacity in leadership across the school to improve further along with the teaching of English and Maths and the children at the school were making faster improvement than they had previously. The school’s improvement was supported by the wider school system and the report stated that the school had forged successful links with other schools to support its improvement and that these have been successful. The school also bought into the Council’s School Improvement Traded Service. The Council would continue to monitor the school’s outcomes to ensure that improvement continued and to support a judgement of good or better at the next inspection. This would be done by Consultant Head Teacher visits, monitoring of outcomes data and access to training and development to support the school’s development priorities. Anston Park Junior School was a maintained school and the Council had a statutory responsibility to intervene where a maintained school was deemed to be a School Causing Concern.

Councillor Jepson asked to be kept fully informed should actions be deemed necessary, which Councillor Watson agreed to do.

(3) Councillor B. Cutts asked could the Leader report on the number of new foreign nationals “registered” in Rotherham according to Migration Yorkshire?

Councillor Read confirmed the numbers below held by Migration Yorkshire related to foreign nationals who registered for National Insurance (NI) within a geographical area. The numbers did not reflect where people may have left for another area or left the country and there was no de-registration process.

	2012	2013	2014	2015	2016	TOTAL
Bulgaria	-	-	18	30	39	91
Czech Republic	43	31	43	61	27	205
Eritrea	7	5	-	15	16	43
Italy	-	12	15	18	24	70
Lithuania	33	40	27	38	45	183
Pakistan	63	56	26	47	55	247
Poland	81	134	106	132	97	550
Romania	5	9	131	206	279	630
Slovakia	125	131	137	76	55	524
Spain	5	9	16	31	30	91
Others	209	236	208	235	266	1,154
TOTAL	571	664	729	889	933	3,780

(4) Councillor Reeder understood that Area Assemblies were finishing and asked had there been any consultation with the public if so could the Cabinet Member tell him where and when and if not why not.

Councillor Yasseen explained that as Councillor Reeder was aware a cross-party working group of Elected Members was established to help progress this action and best practice visits were made. Councillor Reeder had been a member of the group and no questions had been raised as part of this process.

Commissioner Manzie had initiated the first step towards Councillors taking more control of their own areas. These initial stages were about Wards and how to serve communities better and with engagement at that level Area Assembly structures were no longer needed. Community consultation would now commence given the decision needed to progress this at a Ward level focusing on the things that really mattered and the opportunity to work locally and involve local people.

In a supplementary question Councillor Reeder referred to her inclusion on the Working Group and her subsequent resignation due to her discontent with the wording being used. She pointed out how astounded she was at the last Area Assembly meeting how many people were not aware of plans to dispense with Area Assemblies. A petition to this effect would also be presented to the next meeting.

Councillor Yasseen deemed it important to take people forward on the journey. Work would have commenced already had the General Election not been called. She was committed to working with the Ward electorate to take forward the local issues that really mattered.

(5) Councillor John Turner's question below would be responded to in writing.

Having visited other Councils to try and improve our democratic process in Rotherham and studied the way other Councils ran their affairs, I regularly argued that each year we should be subject to an audit of all parties to ensure that the new order be maintained. Is this to happen?

(6) Councillor Cowles referred to one of the biggest charity events of the year, the Mayor's Charity Ball, but asked where was the Leader and his team. There were representatives and dignitaries from other areas, including a good number from UKIP, but where were many of the Labour Group?

Councillor Read, the Leader, confirmed the Labour Group was hugely supportive of charity events and in particular the Mayor's Charity Ball. There would be times when due to other commitments individuals were unable to attend a particular event and he himself had a personal engagement on the same evening and was so unable to attend.

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There was a further Mayoral fund raising event this evening and urged everyone to attend.

In a supplementary question Councillor Cowles referred to a number of the Leader's team being present at the function, some of which were only there as they had complimentary tickets. He asked the Leader to confirm those in question had declared this gift and that a reasonable donation to the Mayor's Charity had been made.

Councillor Read, the Leader, indicated that any Member that had received complimentary tickets would need to declare. He could not confirm if what Councillor Cowles was claiming was correct as he had not checked individual registers of interests. The Labour Group would continue to support mayoral charities and events. He was disappointed about political arguments of who gave the most to charity, but with any event it was appreciated who could attend, but on this occasion he was unable to attend personally.

(7) Councillor Carter referred to Rotherham town centre dying under Labour's watch with many shops relocating to Parkgate and asked what was the Cabinet Member doing to safeguard the future of the town centre?

Councillor Lelliott confirmed the Council had been working on many town centre initiatives and welcomed the opportunity to share this information which included the award winning high street, award winning market, purchase of Forge Island and the site of the Magistrates Court, support to the Rotherham College new HE Campus as well as the supplementary planning document once the masterplan was complete. The Council had an excellent team working to ensure investors were in place once the masterplan was complete. The Cabinet Member was surprised the question had been asked as the budget, which set aside funds for the improvement of the town centre, was voted against.

In a supplementary question Councillor Carter referred to a proposal which had been previously submitted to Cabinet for the development of a new mainline railway station around Parkgate and asked had there been any progress and was the Council proceeding with it.

Councillor Lelliott explained officers were working hard and looking at this. Connectivity was the key and with more regeneration, more houses and a thriving town centre officers were offering support during this transitional time.

(8) Councillor Napper asked did the Council believe the role of the Mayor should include fundraising events?

Councillor Read, the Leader, confirmed the role of Mayor should include fundraising events.

In a supplementary question Councillor Napper wished to offer his thanks to Councillor Pitchley for an excellent job she had undertaken as Mayor and the Charity Ball, but expressed his disappointment that three quarters of the Councillors were not present. He would like to see more support for the next one.

Councillor Read, the Leader, understood the sentiment.

(9) Councillor Jepson referred to the recent inspection of the Local Development Plan, where the the Planning Inspector deleted the proposed Todwick North employment site from it considering it too harmful to the rural setting of Todwick and the wider Green Belt and asked what effect would this have on the Council's overall economic growth plan?

Councillor Lelliott confirmed the Inspector's letter was an interim position at this stage and his proposed main modifications to the Local Plan have not yet been finalised. Once finalised, the detailed main modifications would be reported to Cabinet prior to going out to public consultation. Following this consultation the Inspector would consider all responses and issue his final report.

Rotherham was still expecting to deliver the target of 10,000 net new jobs as set out in the Economic Growth Plan and was already ahead of its targeted job creation growth, of 1,000 net new jobs per annum over ten years, with an increase of 7,000 employee jobs in the borough over the last three years. While the site at Todwick was likely to be attractive to the market, there were still sufficient other employment sites within the Local Plan for the job creation target to be met. The Council would work with landowners and developers to make sure these were brought forward.

In a supplementary question Councillor Jepson commented on the Inspector's decision and wished to thank Anston, Dinnington and Todwick Parish Councils for their objections as this site was slipped in and liked to thank the Planning Inspector for his wisdom.

(10) Councillor Cowles was pleased to hear that the litter enforcement organisation, Kingdom, have started work, and he had written to ask as to when they would begin the real job of tackling the fly-tipping hotspots. So far he had not received an answer, so asked the Cabinet Member when this would be?

Councillor Hoddinott confirmed a response had been sent to Councillor Cowles on 18th May.

In a supplementary question Councillor Cowles asked if Kingdom would be working out of hours and not just during prime hours when flytipping actually took place. Flytipping was fast becoming a local sport and also a national one. The current plan in Eastwood was not

working. A proper plan was required with clear measurements. In Eastwood it remained that back yards did not move, the landlord scheme was not effective as only one landlord had been prosecuted, there was still a rotting car on the pavement and asked would Kingdom be tackling hotspots like Doles Lane.

Councillor Hoddinott explained flytipping remained a huge issue not just locally, but nationally and blighted the area. The Council needed to continually be ahead of the game. As part of neighbourhood working Councillors needed to get involved and could request mobile CCTV cameras to be put in flytipping hotspots. There had been eleven incidents currently being investigated and three prosecutions.

The litter enforcement partnership had seen remarkable results in the first few weeks with 700 Fixed Penalty Notices issued. Input was needed from local Ward Councillors to feed in and report about local hotspots.

In terms of the Eastwood deal instant results would not be seen overnight. Over the last year the Cabinet Member had worked hard with Ward Councillors and seen movement in the area. The selective licensing scheme had seen 7 prosecuted so far, with a further 21 prosecution files for court hearings. Work was taking place on a whole range of issues and more recently the Police had reported anti-social behaviour at 25% of what it had been previously. Some anti-social behaviour still remained, but it was credit to Ward Councillors making a start and making some inroads with those issues.

(11) Councillor Carter referred in the past 5 years 29 accidents have happened on Bawtry Road in Brinsworth and asked when would the Labour administration take further action to deal with this?

Councillor Hoddinott confirmed investigations have commenced under the local safety scheme and proper assessment of the site would take place. The Cabinet Member was happy to share the outcome/results with Councillor Carter.

In a supplementary question Councillor Carter confirmed he had received some correspondence and figures from Council Officers, but still strongly believed a crossing or some other reduction of the speed limit to 30 mph would be more beneficial and asked was this something that the administration was broadly in favour of.

Councillor Hoddinott confirmed the Council was committed to tackling some of these hotspots and road safety. However, with limited budgets it was necessary to think about priorities and from information shared it would appear to be a hotspot area, but the assessment would need to be completed first.

(12) Councillor B. Cutts explained that since October last year he had raised the question on the intention of the Council's future plan for the bus station.

After he was heckled at the last Council meeting he submitted a "Council document (which he had circulated prior to today's meeting)" :-

Forge Island - £1.5M loan
Westgate Chambers
Higher Education Campus
NEW BUS STATION

and asked could the Cabinet Member explain further.

Councillor Read, the Leader, appreciated the document circulated, but emphasised there would not be a NEW bus station, but there would be a refurbishment of the existing bus station. Funding had been secured through the South Yorkshire Passenger Transport Executive in the sum of £12 million to refurbish the existing bus station and multi-storey car park. The building was at risk if the maintenance works were not undertaken. More details would be available in the bus station next week as part of a consultation process on the works to ensure the bus station and car park were a safe and welcoming environment.

In a supplementary question Councillor B. Cutts indicated he had received the same answer before and the reason he could not accept it was because of the document. He asked could it not be admitted the document was incorrect and the matter brought to a close.

Councillor Read, the Leader, could understand Councillor Cutts' confusion, but again confirmed the current bus station was being renovated and Rotherham would not be receiving a new bus station, but he accepted the point it was a misleading document.

(13) Councillor John Turner's question below would be responded to in writing.

In the light of the continuing indiscriminate dumping waste across the borough. What plans have or are being made to address this problem.

(14) Councillor Carter referred to Catcliffe School being oversubscribed this year and asked why was the Council still allowing this to happen when it could have a school already built on the Waverley estate?

Councillor Watson explained Councils were no longer allowed to build schools. He accepted Catcliffe was oversubscribed whilst the estate was being built, but Catcliffe and Brinsworth Howarth Primary Schools were the interim shared catchment area schools for the Waverley Estate until the first Waverley Primary School was constructed.

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Both Schools have been expanded – Catcliffe from a published admission number (PAN) of 25 to 30 creating an additional 35 **permanent** places and Brinsworth Howarth from a published admission number (PAN) of 30 to 45 creating an additional 105 **temporary** places until the Waverley school opened.

Although Catcliffe Primary School was full in Reception/Foundation Stage 2 for entry to school in the 2017/18 academic year, Brinsworth Howarth as the shared catchment area school, currently had 9 surplus places in this year group. It should be noted that any parent/carer who was refused a place at a school for their child, had a statutory right of appeal. Appeals were heard by independent panels and the panels decisions were legally binding on the parent/carer, admissions authority for the school and the Local Authority.

In a supplementary question Councillor Carter referred to a resident who had a child with learning difficulties who attended the Catcliffe special centre. Unfortunately, their other children could not attend the same school and had been encouraged to appeal. He asked would the Council be supporting this appeal for this resident.

Councillor Watson confirmed the appeals procedure was independent so the Council must not interfere so the appeal would follow due process.

(15) Councillor Napper asked what was the Council's position with regard to the property at 48 Doncaster Road, Dalton.

Councillor Read, the Leader, confirmed anyone passing this property would see a "For Sale" sign outside. Officers were currently discussing a potential road improvement scheme and, therefore, a meeting took place between Council Officers and the owner of the property.

In a supplementary question Councillor Napper referred to previous matters with this property which eventually involved the Secretary of State for the Environment. This had again led to officers visiting this address and threatening compulsory purchase, but do not seem to do anything about the burnt out buildings on Corporation Street, but instead appear to be hounding an old man at 83 years old again.

Councillor Read, the Leader, explained the matters referred to the Secretary of State around 10 years ago were to do with the bus lane. This separate road improvement scheme had led to visits by officers not to consider compulsory purchase of the property, but to enter into discussions now the property had been placed up for sale.

The issues on Corporation Street were entirely separate and a report was to be submitted to the Cabinet in a few months, which would address some of Councillor Napper's concerns.

(16) Councillor Cowles, in light of the recent CQC report on the Meadow View care home, asked was Adult Social Care in Rotherham fit for purpose, if not, was it time for resignations?

Councillor Read, the Leader, in Councillor Roche's absence, confirmed the Adult Care Directorate were aware of the issues facing Meadow View Care home, an independent sector provider, and have been working closely with the Care Quality Commission (CQC) prior to, and following their overall finding of the home being deemed inadequate in the report in April.

The statutory responsibility for regulation and inspection of care homes for older people rests with CQC, but the Council also monitored provision to ensure that contractual service standards were being met. There were considerable financial pressures on the adult social care sector, but this did not provide a justification for poor quality provision for Rotherham residents. The performance of an independent sector care home provider did not define the fitness and capability of the whole Adult Care Directorate.

In a supplementary question Councillor Cowles listened to the response with a degree of care, but pointed out the Council had a moral and ethical responsibility to all adults in the borough regardless of the home they resided in. The Council had spent millions bringing services up to scratch, had had Commissioners in charge for over 2 years and powers restored because people tell us the Council was improving. Well to Councillor Cowles it did not look that way. The headlines to the report was the home was overall inadequate, which translated into dismissal and dreadful. This was not the first report on this organisation which had been bumping along at the bottom for some time. The Council were, therefore, asked what was going on, what it proposed to do and when would someone be held to account, including Commissioners, for the services this borough was expected to provide.

Councillor Read, the Leader, explained no-one was complacent about this care home. A series of improvement actions had been undertaken by the local authority which essentially was a private business. In fact these concerns came to light following unannounced visits by Council Officers and serious concerns were identified. Councillor Cowles would be provided with further information about this care home after this meeting, but actually in the adult social care market it was a complex market largely driven by the private sector. The Council's role was to step in where these providers fell short and take the necessary action, which was what was happening in this case. If it was felt in the future the home was unable to improve the Council would have to look to taking more serious action, but rather than move people away from their home the Council would continue to work with the home concerned.

(17) Councillor Carter since the last meeting the Cabinet Member should have found out about funding for libraries in the borough and asked what progress had the administration made with this.

Councillor Yasseen referred to an application for funding to the Art Council's "Libraries for Everyone Innovation Fund". Whilst the proposed project was acknowledged as an "exciting way of developing a masterplan for the library estate.....positioning libraries for future delivery, shaping the future provision of services, developing new ways of working...", the application was unsuccessful due to the high demand on funding. However, the Arts Council have encouraged the Council to discuss further opportunities for funding for libraries, but asked that this wait until the summer to do this, due to pressures on their grants assessment teams.

In terms of Brinsworth library the provision was accepted for the last 10 plus years. Work had been taking place with Brinsworth Parish Council and other stakeholders. Following that meeting officers have been asked to draft an options appraisal and a business proposal and these next few months would hopefully be positive.

Councillor Carter was welcome to join in the discussions and would be advised when the next meeting would take place.

In a supplementary question Councillor Carter asked what would be the timeframe for the putting forward of this business case and the approvals process.

Councillor Yasseen indicated the difficulty in placing timeframes on this process because it depended very much on who was leading it. Neighbourhoods should lead on their own services and the Parish Council were leading this matter and supported by the Council. This would follow due process.

(18) Councillor B. Cutts withdrew this question and asked that it be resubmitted to the meeting in July, 2017.

(19) Councillor Cowles referred to discussions with Dignity the company who provided funeral services and asked had the discussions resulted in bringing the costs down for residents of Rotherham in line with neighbouring boroughs?

Councillor Hoddinott explained meetings had taken place Dignity to discuss a number of matters, which had also involved Councillor Short. A number of concerns had been raised with them in writing, but as yet no response had been received.

Rotherham's fees were higher than the national average and the Council was hoping to discuss this further with Dignity.

In a supplementary question Councillor Cowles asked could it be confirmed that Dignity had made it clear they had a contract for 35 years, would charge the market rate and residents pay whatever this was. This was a result of the Council's inability to run the simplest of operations and residents would be ripped off for the next 35 years.

Councillor Hoddinott confirmed it was a 35 year contract and had been agreed well before this current Cabinet. Lessons could be learnt with very few safeguards placed into the contract, including controlling the fees. The past could not be changed, but the cross-party approach to ensure Dignity was aware of the Council and residents' concerns about how the contract was being managed and the fees being above the national average. A recent visit to the Crematorium indicated Dignity were also not investing as much as they needed to so asked Members to join with her to put the pressure on Dignity as she was prepared to follow the concerns through.

(21) Councillor Cowles referred to the recent computer problems experienced by the NHS which made us all aware of the need to ensure that systems and networks were adequately protected and asked could the Cabinet Member inform him as to why there was such a panic with IT people having to work this weekend.

Councillor Alam responded by confirming officers had taken precautionary measures and gave his assurance systems were in place and to the relevant standards of industry.

In a supplementary question Councillor Cowles asked why was there such a panic over the weekend to bring systems up to date. The Council were not issued with public services network certificate for management and compliance of information last November, why? The certificate should have been issued last November, but there were 85 problems identified and should have been fixed by March, but a number remained outstanding. Such bodies do not immediately remove the availability to systems, but issue reports recommending actions to deal with the problems and bring software systems up to the required patch and release levels. Councillor Cowles asked the Cabinet Member if he accepted that there was serious problem.

Councillor Alam reiterated 4 officers were working over the weekend, but only a proportion of their time was spent on the cyber attack.

The Council did have a compliance certificate. Work was taking place and the work would be completed within the time frame given by the Government.

(22) Councillor Cowles reported Whiston Worrygoose external play area was now unsafe and asked what, if anything, did the Cabinet Member propose to do about it?

Councillor Watson indicated Whiston Worrygoose Junior and Infant School became an Academy Trust school in September, 2013 and, as an academy school was outside of Local Authority control by being directly accountable to the Department for Education, and made its own insurance arrangements. It received its funding directly from the Department for Education in relation to the maintenance and repair of the buildings and grounds of the school site.

Responsibility for the health and safety of pupils, staff and visitors on an academy school site rests with the Academy Trust and could not be assigned to a third party. It was up to the school if they did not believe their play area was safe to sort it out with the funding from the Government.

In a supplementary question Councillor Cowles reminded the Cabinet Member of another school's safety issue when 2 young ladies from Thrybergh Primary School attended Cabinet expressing road safety concerns and the need for a safe speed limit. A traffic survey was recommended for completion to determine the volume and whether the traffic level was sufficient. Councillor Cowles asked could he be told when child safety had ever been volume related. It would only take one car and one child for the road to be unsafe. How many times have Members been told about corporate responsibility and moral and ethical responsibility for all children if the road was not safe then it needed to be made safe.

Councillor Watson explained about the legal definition when a road was safe or not. It was not possible to introduce traffic wardens in every road in Rotherham and procedures needed to be followed. However, he pointed out that if the school or the neighbourhood working group or Ward Councillors wanted to reduce the speed limits this was within their remit and some Wards had done this very thing last year with the money delegated to them.

18. STANDARDS AND ETHICS COMMITTEE

Resolved:- That the reports, recommendation and minutes of the meetings of the Standards and Ethics Committee be adopted.

Mover:- Councillor McNeely

Seconder:- Councillor Allen

19. AUDIT COMMITTEE

Resolved:- That the reports, recommendation and minutes of the meetings of the Audit Committee be adopted.

Mover:- Councillor Wyatt

Seconder:- Councillor Walsh

20. HEALTH AND WELLBEING BOARD

Resolved:- That the reports, recommendation and minutes of the meetings of the Health and Wellbeing Board be adopted.

Mover:- Councillor Watson

Seconder:- Councillor Mallinder

21. PLANNING BOARD

Resolved:- That the reports and minutes of the meetings of the Planning Board be adopted.

Mover:- Councillor Atkin

Seconder:- Councillor Tweed

22. LICENSING BOARD SUB-COMMITTEE

Resolved:- That the reports and minutes of the meetings of the Licensing Board Sub-Committee be adopted.

Mover:- Councillor Buckley

Seconder:- Councillor Beaumont

23. URGENT ITEMS

There were no items of urgency.

24. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Council will take place on Wednesday, 12th July, 2017 at 2.00 p.m. at the Town Hall.