

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD
21st June, 2017**

Present:- Councillor Steele (in the Chair); Councillors Brookes, Cowles, Cusworth, Evans, Mallinder, Napper, Short, Walsh and Wyatt.

Apologies for absence were received from Councillors Clark and Sheppard.

1. WELCOME

The Chairman welcomed Councillors Brookes, Cusworth, Evans, Napper and Sheppard (submitted apologies) to their first meeting of the Board.

He also placed his thanks on record to Councillors Albiston, Allcock, Price, Sansome and Julie Turner for their work carried out on behalf of the Board.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

3. MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the meeting held on 5th May, 2017, be agreed as a true and correct record.

4. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

5. INTEGRATED HEALTH AND SOCIAL CARE PLAN

Consideration was given to the report which detailed the proposed governance arrangements to oversee strategic objectives of the Rotherham Integrated Health and Social Care Place Plan and ensure tactical delivery of the identified actions. The report also highlighted the links of health and social care integration to key Council strategic drivers such as The Rotherham Plan – A new perspective 2025.

The Integrated Plan contained five joint priorities (plus Primary Care which sat outside the Plan but was integral to it) that built on existing initiatives but took a whole system approach to increase efficiency and maximise benefits and reach:-

- Prevention, self-management, education and early intervention
- Roll out our integrated locality model 'The Village' pilot
- Urgent and Emergency Care Centre
- 24/7 Care Co-ordination Centre
- Specialist Reablement Centre

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In order to oversee the delivery of the Rotherham Integrated Health and Social Care Place Plan and to comply with the deadline for creating an Accountable Care Partnership by September, 2017, an Accountable Care System for the Borough had been formed with partners. This would meet the requirements of the South Yorkshire and Bassetlaw STP with the new governance underpinned by specific terms of reference. Overall ownership and strategic direction would rest with the existing Rotherham Health and Wellbeing Board and the new Rotherham Place Plan Board would report progress thereto.

The Rotherham Place Plan Board would focus on delivery of the Integrated Health and Social Care Place Plan and co-Chaired by the Chief Executive (RMBC) and the Chief Officer of Rotherham Clinical Commissioning Group. The Cabinet Member for Adult Care and Health and Dr. Cullen (Chair and Chair of the Strategic Clinical Executive) would be in attendance at all meetings in a participatory and oversight capacity for both the Council and CCG. Operational activity would be driven by the Rotherham Place Plan Delivery Team which would report into the Rotherham Place Plan Board.

The report set out how the decision making for the Accountable Care System had been derived as well as how the key stakeholders would work together to maximise the utilisation of Rotherham resources.

The first meeting of the Place Plan Board would meet in shadow form in July, 2017 with the aim to formally meet from 1st April, 2018 as a fully constituted body.

Clarification was sought on a number of areas through Members' questioning and were summarised as:-

- The effectiveness of the 'The Village' pilot was to be evaluated and submitted to the Health Select Commission in due course
- An announcement on the transformational funding had been delayed due to the General Election. However, the plans had been drawn up prior to any knowledge of possible additional funding so, although would accelerate progress, was not dependent upon it
- As the Plan developed extra funding may be required but would be considered by each of the partner organisations through their own decision making processes
- There were no Human Resources implications at present but going forward would be part of the Accountable Care System
- When would the review of the 24/7 Care Co-ordination Centre be submitted?

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- Had every GP practice undertaken a productive general practice by March 2017?
- Would the Accountable Care Partnership be created by September, 2017?
- Was the phrase “efficiency challenge” an adequate description of the service reductions which will be needed to achieve savings of £75 million over the next five years?

The Strategic Director for Neighbourhood and Adult Services agreed to raise the questions regarding 24/7 care co-ordination and GP Practice with the relevant colleagues from TRFT and the CCG.

Resolved:-

1. That the Cabinet be advised that the recommendations be supported.
2. That the Health Select Commission continues to scrutinise the implementation of this plan.

6. LOCAL PLAN: ADDITIONAL CONSULTATION ON SITES AND POLICIES DOCUMENT

Consideration was given to the report which highlighted proposed consultation on additional housing sites in Wath upon Dearne, Brampton Bierlow and West Melton necessary to accommodate the changes required by the Planning Inspector.

The Inspector required the Council to identify and consult on additional housing sites in the said areas to remedy a shortfall against the Core Strategy housing target for the area that had come to light as part of the examination. Consultation was required as an additional stage before the Council consulted on the Inspector’s Proposed Main Modifications.

Two sites had been identified which minimised the release of further Green Belt land and were the most sustainable sites to meet the shortfall against the target for the area. Together they would provide around 500 new homes:-

Land off Far Field Lane, Wath upon Dearne (site reference LDF0849)

Land between Pontefract Road and Barnsley Road, West Melton (site reference LDF0263).

Subject to Cabinet approval, it was proposed that the public consultation would take place during July and August, 2017 with comments forwarded to the Inspector.

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A drop-in session for all Members had been held on 13th June, 2017.

Clarification was sought on a number of areas through Members' questioning and were summarised as:-

- Prospective development sites were subject to a vigorous planning inspection taking transport and the infrastructure into consideration
- A briefing note had been produced for Members and MPs. Statutory consultation with local residents would take place including site notices and notices in the local press. Residents that lived in the vicinity would receive individual letters informing them of the proposal as well as being available on the website.
- All comments received would be forwarded to the independent Inspector who had requested the additional consultation and had set aside some dates for hearings
- There was criteria with regard to the provision of additional school places etc. and the number of new properties built

It was noted that, due to the deadline set by the independent inspector, when the report was considered by Cabinet on 26th June, 2017, the Chairman and Vice-Chairman of the Board had agreed that this item would not be subject to call-in.

Resolved:-

That the Cabinet be advised that the recommendations be supported.

7. COUNCIL PLAN 2017 - 2020

Consideration was given to a report which detailed the 2017-2020 Council Plan, the core document that underpinned the Council's overall vision setting out headline priorities, indicators and measures that would demonstrate its delivery. It sat alongside the Corporate Performance Management Framework explaining to all Council staff how robust performance monitoring and management arrangements were in place to ensure focus on implementation.

The Plan included 103 Performance Indicators which had been monitored in quarterly public reports to Cabinet throughout 2016-17. Following a review of the success of the Plan, it had been refreshed and the Indicators revisited.

The refreshed Plan, Council Plan, was intended to cover a three year period, 2017-2020 and maintained the vision and associated priorities established for the Corporate Plan and refined the number of Performance Indicators to enable a more focused approach to Performance Management. It also included reference to relevant elements of the recently launched Rotherham Plan 2025.

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Monthly performance updates would continue to be provided to Cabinet Members, Commissioners, Chief Executive and Strategic Directors with quarterly reports submitted to the Cabinet and Commissioners' Decision Making meeting.

Clarification was sought on a number of areas through Members' questioning and were summarised as:-

- Desire for the term "domestic abuse" to be used as opposed to "domestic violence" as it covered physical as well as other aspects of abuse
- Inclusion of baseline indicator where available to enable a comparison to be made at year end
- Concerns regarding the design of the document and the difficulties some members of the public may have in reading it
- The sickness absence target to be reviewed annually

Resolved:-

1. That the Cabinet be advised that the recommendations be supported.
2. That the Council uses the term 'domestic abuse' consistently in relevant Council documentation
3. That information be provided on baseline indicators for all measures in order to enable a comparison to be made at year end.

8. HOME TO SCHOOL TRANSPORT POLICY

Councillor Hoddinott, Cabinet Member for Waste, Roads and Community Safety, introduced Martin Raper, Streetscene Manager, who gave the following powerpoint presentation on the Council's Home to School Transport Policy:-

Legislation

- Education Act (amended by Education & Inspections Act 2006)
Sections 508B, 508C and Schedule 35B
- Equality Act 2010
Disability and Impairment
- Home to School Travel & Transport Guidance 2014
Department for Education (DfE)
- Children & Families Act 2014
Section 10 'SEN' Education, Health and Care Plans

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The Statutory Duty to provide free transport assistance

- The Education Act 1996 (amended by the Education & Inspections Act 2006)

Sections 508B and 508C and Schedule 35B places a duty on the Council to make suitable travel arrangements to facilitate attendance at school for eligible children to qualifying schools and for a low income family. Includes criteria of free transport assistance for:-

Eligible children are those of compulsory school age 5-16

Statutory walking distances criteria for children to a qualifying school:

Beyond 2 miles (below the age of 8) e.g. a primary school or

Beyond 3 miles (aged 8 to 16) e.g. a secondary school or

Between 2 and 6 miles for pupils from low income families or

No statutory distances for pupils with a disability or mobility problems

- Equality Act 2010
Relates to Children and Young People with a Disability and Impairment can be defined as:
Physical, mental, learning, progressive conditions, visual and hearing impairments
This includes a parent/carer with a disability who is unable to accompany their child to and from school
- Department for Education 2014: Special Educational Needs, a disability or mobility problems eligibility:
Make transport arrangements for those children who cannot reasonably be expected to walk to school because of their mobility problems or associated health and safety issues related to their SEND (Special Education Needs and Disabilities)
- Children & Families Act 2014: Section 10 defines 'SEN'
Children and Young People with an Education, Health and Care Plan (previously a Statement of Special Educational Needs)
A single plan which covers the education, health and social care needs of a child or young person with special educational needs and/or a disability (SEND) aged 0-25 years

Statutory Guidance for Local Authorities – Department of Education Jul 2014

Home to School Travel and Transport Guidance

- In order to comply with the above DfE Guidance the Council has a statutory duty to make transport arrangements for all eligible children
- Special Educational Needs, a disability or mobility problems eligibility
Make transport arrangements for those children who cannot reasonably be expected to walk to school because of their mobility problems or associated health and safety issues related to their SEND

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- Unsafe route eligibility
For all children who cannot reasonably be expected to walk to the nearest suitable school because the route is deemed unsafe to walk
- Extended rights eligibility
Provide free transport assistance where pupils aged 5-16 are entitled to e.g. free school meals

What the current Policy provides

- Covers journeys to mainstream schools, special schools and colleges within Rotherham and out of Borough
- Children and young people's eligibility for transport assistance was based on distance, medical condition, means testing and availability of public services/route safety
- Transport provision can be a travel claim, zero fare bus pass, coach, minibus or taxi
- Externally procured contacted approved operators and public network services within South Yorkshire (via SYPTE) used
- Journeys to mainstream schools, special schools and colleges within Rotherham and out of Borough
- Post-16 students and under 5's can also travel on network services
- Some discretionary respite transport to Liberty House provided

Current Provision

| Type | Pupils | 2016-17 Expenditure |
|---|-----------|---------------------|
| Zero fare bus passes (5-16) | 1,005 | £303k |
| Taxi/minibus to mainstream (5-16) | 67 | £106k |
| Transport to resourced units (5-16) | 65 | £221k |
| Transport to special schools (2-19) and transport of SEN/EHCP (5-16) Includes some mainstream schools | 520 21 | £1,935m |
| Transport to colleges (16-19) | 23 | £79k |
| Extra district schools (5-19) | 70 | £607k |
| Those pupils travelling in taxis | 210 | |
| Travel claims (5-19) | 22 | £14k |

Home to School Transport Benchmarking

- Average cost of transporting a pupil £4,260
(report comparators – lowest £1,800 highest £5,100)
- Average number of pupils per route 2.95
(report comparators – highest 3.63 lowest 1.40)
- Single occupancy routes 48%
(report comparators - lowest 15% highest 48%)

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Arrangements with Children's Services

- Education, Health and Care Plan Team (EHCAAT) recommend and name the school/college where the young person is due to attend for their special educational needs
- Family, or their advocate, or their school complete an online transport assessment form
- Passenger Services Team (PST) at CTU assesses transport requirements e.g. height, distance, medical and physical needs
- Available space on a vehicle or a new route is identified along with Care Plan, relevant training etc.
- Family informed of details of transport operator and boarding points and estimated times etc.
- School or college informed about which operator the young person will be travelling
- For LAC transport (Social Work funded) an online assessment/request is completed via the C&YPS locality team and the named Social Worker is informed and they cascade information to parent/carer

Discussion ensued with the following issues raised/clarified:-

- The retendering process that had been undertaken at the end of 2016 had raised some concerns by Councillors and families. The process had been reviewed and would be considered by the Improving Lives Select Commission. Legally the contracts had to be renewed but the lessons learnt would be carried forward when the process was repeated
- There were transition arrangements offered to individuals in order to deal with some of the complex issues where children were used to certain taxi drivers and escorts. The work overlapped so the new operator worked with the child/parent and school before the old contract came to an end
- The School Transport Section had adopted the same standards as the Rotherham Taxi Licensing Scheme and all taxis that worked on the Service had to be licensed in Rotherham
- There had been an incident of a company sub-contracting which had been reviewed by the Team and all the appropriate checks and training had been undertaken by the individual. If a company was used that was not known to the Service the contract would be stopped immediately
- There had been some changes in the provision but had no financial impact on individuals nor any impact on any of the Care Plans

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- The contracted taxi company could sub-contract; this was a loophole in the Regulations that the Authority would wish to be closed down
- The Authority could not stop out-of-borough companies tendering for contracts but they would be required to comply with the Taxi Licensing Standards adopted by Rotherham
- If a child attended a school of parental choice it may be that there was no transport provision because of it being a family decision unless there was compliance with some of the other criteria or the child had a disability. In real terms, if someone made a parental choice the requirement of transport was removed from the Service
- A presentation had been given for the Police and Crime Commissioner to explain Rotherham's Taxi Licensing Policy. The other 3 South Yorkshire authorities were very keen to ensure their standards matched those of Rotherham's. The Licensing Manager had set up a network with other Licensing Managers across the county to look at how they could make their licensing standards similar to Rotherham's
- There was still more work to be done from the benchmarking with aspects that could be done slightly different e.g. single occupancy rate, the use of travel plans and giving more choice as to how families took their children to school

Resolved:- (1) That the presentation be noted.

(2) That the Board would endorse that taxi companies in Rotherham be not allowed to sub-let their contract unless the sub-contractor met Rotherham's Taxi Licensing Policy including the use of CCTV cameras in their vehicles.

(3) That the relevant sections of the Education Act 1996 that the Council had to abide by be supplied to the Board for information.

9. OVERVIEW AND SCRUTINY ANNUAL REPORT 2016-17

Janet Spurling, Scrutiny Officer, presented the final draft of the Scrutiny Annual Report 2016-17 for consideration prior to submission to the 12th July 2017 Council meeting.

It was noted that the Scrutiny Annual Report aimed to provide a retrospective look over the past year in terms of work completed and outcomes achieved. It also offered a look ahead for the coming municipal year in terms of future priorities through a headline work programme. Members further noted the document as an opportunity to provide vital information to Members, officers, partner agencies and the general public about the role and work of scrutiny and to formally thank the co-optees for their contributions.

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Pre-decision scrutiny had added another dimension to the scrutiny function in 2016-17 with recommendations made by the Board accepted by Cabinet and Commissioners on a range of policy decisions.

Resolved:-

1. That the draft Annual Report 2016-17 be received.
2. That the Annual Report 2016-17 be referred to the meeting of the Council on 12th July 2017 for formal agreement.
3. That it be noted that membership details for 2017-18 may be subject to change following the Council meeting on the 12th July and would therefore be reflected in the final published version.

(THE CHAIRMAN AGREED THAT MINUTE NO. 12 BE CONSIDERED IN THE CLOSED PART OF THE MEETING TO ENABLE A FULL DISCUSSION TO TAKE PLACE.)

10. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (information relating to the financial or business affairs of any particular person (including the Council)).

11. ACQUISITION OF 3-7 CORPORATION STREET, ROTHERHAM

Consideration was given to the report which highlighted proposals to continue to negotiate the purchase of Nos. 3-7 Corporation Street, Rotherham together with consideration of the Compulsory Purchase of the properties should agreement on the terms not be agreed.

A full explanation was given of the Compulsory Purchase Order procedure and the need to continue to try to engage with the property owners to bring the properties back into use. If not, when public examination stage was reached, the history would be checked to ascertain if the Local Authority had exhausted all attempts to engage. If the process had not been followed appropriately then the Compulsory Purchase Order could fail.

Unsuccessful attempts had been made to engage with the property owners to date but would continue in order to try and encourage them to bring the properties back into use.

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Clarification was sought on a number of areas through Members' questioning with regard to the Compulsory Purchase Order procedure and the Town Centre Master Plan.

Resolved:-

That the Cabinet be advised that the recommendations be supported.

12. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Overview and Scrutiny Management Board take place on Wednesday, 5th July, 2017, commencing at 11.00 a.m. (pre-meeting for Members commencing at 9.15 a.m.)