

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD
14th November, 2018**

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

Apologies for absence:- Apologies were received from Councillors Evans.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

117. DECLARATIONS OF INTEREST

There were no declarations of interest.

118. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

119. EXCLUSION OF THE PRESS AND PUBLIC

The Chair reported that there were no items of business on the agenda that would require the exclusion of the press or public from the meeting.

120. CONSULTATION ON THE ADOPTION OF SCHEDULE 3 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AND A ROTHERHAM SEX ESTABLISHMENT LICENSING POLICY

Consideration was given to a report which was due to be considered by the Cabinet at its meeting on 19 November 2018 which outlined a proposal to consult on the adoption of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 that, following amendment through the Policing and Crime Act 2009, classified the following establishments as sex entertainment venues:

- Lap, pole and table dancing;
- Strip shows;
- Peep shows and live sex shows.

The report sought consent from Cabinet to recommend that Council approve the commencement of public consultation on the adoption of the Schedule. The adoption of the Schedule would give local communities a greater say about the presence of sex establishments, including sex entertainment venues, sex shops and sex cinemas, and would allow the local authority to more effectively regulate such premises through a formal Sex Establishment Licensing Policy. The report to Cabinet also sought approval to begin public consultation on a proposed Sex Establishments Licensing Policy to run parallel to consultation on the adoption of Schedule 3.

Members welcomed the report, along with the accompanying equality analysis, and queried what groups would be consulted and how they would be targeted. In response it was confirmed that there was a wide ranging indicative list of groups and organisations who would be consulted, which included women's refuges, schools, youth facilities and places of worship. The intention was to undertake a structured consultation with these groups and with existing establishments in the borough, along with industry representatives and workers.

Clarification was sought as to whether the Council envisaged that licensing fees would vary for different types of venue. In response it was confirmed that a fee had been set out and all venues were classed in the same way within statute, but the consultation would provide an opportunity to express views on what was proposed.

The proposals had been designed to regulate business and provide a robust policy for regulation that protects the community around them and people working within those businesses. Members queried whether there was confidence in the proposals to avoid challenge. Officers indicated that there was the potential for legal challenge by the industry and those against the industry.

Members further highlighted the need for safe consultation with those working within the industry to protect their welfare, especially those who could be considered to be vulnerable. The Cabinet Member for Waste, Roads and Community Safety agreed with the point on worker welfare and the need for safe consultation with those individuals. Members further added that it would be helpful if officers could establish a means for safe and anonymous consultation for workers in the industry.

Resolved:-

1. That Cabinet be advised that the recommendations be supported.
2. That a wide ranging consultation be supported.
3. That engagement with industry workers take place on a safe and anonymous basis during the consultation period.

121. SEPTEMBER 2018/19 FINANCIAL MONITORING REPORT

Consideration was given to a report which set out the financial position of the Council as at the end of September 2018, which was based on actual costs and income for the first half of the financial year with forecasts for the remaining six months of 2018/19.

It was reported that at September 2018, the Council needed to identify a further £3.1m of cost reduction actions by financial year-end in order to achieve a balanced financial outturn, after taking account of the £10m

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budget contingency approved within the 2018/19 budget. The overspending against budget in the Children's and Young People's Services directorate had continued in the current financial year as a result of demand for services outstripping budget capacity. The number of children in care had continued to increase and the forecast overspend on Children's Services had increased to £15.7m.

The increased number of Looked after Children also placed significant pressure on Legal Services within the Finance and Customer Services directorate. The forecast overspend for Legal Services was £1.488m. The Finance and Customer Services directorate overall had forecast to outturn within budget after putting into place a range of mitigating actions to compensate for the legal service forecast overspend. The Adult Care, Housing and Public Health directorate remained on track to bring its overspend down to £6.221m. A combination of increased client numbers, the rising cost of care packages, and delays in delivery of savings plans had led to pressure on budgets across all client groups. A recovery plan had been developed to address previously undelivered savings and project plans were being finalised with the expectation that further savings would be identified from that activity. The Regeneration and Environment directorate had forecast a balanced budget, although it was facing challenges from a combination of declining business from the School Meals service and challenges with delivery of budget savings, including transport and property savings.

Members referred to the report stating that initial target levels of children in care not being achieved as planned and sought clarification as to who was monitoring and discussing progress and what was actually taking place. In response, officers explained that this did not mean that activities were not having the correct effect, but there were higher numbers of referrals to the Council. A significant number of senior officers from Finance and Children and Young People's Services were analysing data and information, whilst the Chief Executive and Cabinet Members were also reviewing this on a regular basis to check that the service is doing what it should do and needs to do and then to check what else was happening beyond that which meant that the cost of the service was not reducing.

Further clarification was sought in respect of the delays in delivering savings from the Regeneration and Environment directorate. In response, it was confirmed that there was a rigorous process to monitor actual and approved savings. Where savings had not been delivered they had been mitigated and alternative actions.

Members queried how many children had been estimated to be referred to the Council for the current financial year. In response, it was confirmed that a budget was in place for between 460-480 children, yet the current figure was 657 looked after children. Following on, Members queried how many looked after children were being budgeted for in the 2019-20 financial year. In response, officers explained that the Medium Term

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Financial Strategy was in the process of being updated, however the service did not expect to see a significant reduction in numbers. Members then sought clarity in respect of the impact on the budget if spend continued to rise or be maintained its current level. In response, officers explained that financial figures were based on what was happening with the service. In broad figures, the cost per looked after child varied between £40-50k per child, and with approximately 200 more children in care than some years ago, that represented a significant increase in cost. Ultimately, if children needed to be protected, the authority had a statutory duty to provide that protection. With regard to the budget, this would mean a further reduction of budgets for other Council services if it continued, however work was ongoing to ensure that a balanced budget could be set.

Members accepted that it takes time for children to progress through services and therefore the savings to be accrued will take time to be realised, so it was not surprising that targets were initially missed. Assurances were sought that savings would be followed up, even where initiatives were not progressing to timescale, to ensure that they reach their target. Officers confirmed that there would always be opportunities to improve the process of following up on savings delivery. Within Children and Young People's Services, numbers are planned and monitored, however it is the unpredicted demand which had caused problems.

Members referred to progress in respect of customer and digital services and the use of vacancy management. Reflecting the experience of the roll out of new green waste bins, it had caused questions to be asked around whether big service changes could be met as residents had been unable to get through to the Council. In response it was acknowledged that work was ongoing to better understand and anticipate demand for services.

Resolved:-

That the Cabinet be advised that the recommendations be supported.

122. URGENT BUSINESS

The Chair reported that there were no items of business requiring the Board's urgent consideration.

123. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next meeting of the Overview and Scrutiny Management Board be held on Wednesday 28 November 2018 at 11.00 a.m. in Rotherham Town Hall.