

**THE CABINET**  
**Monday, 16th September, 2019**

Present:- Councillor Read (in the Chair); Councillors Alam, Allen, Beck, Hoddinott, Lelliott, Roche and Watson.

Also in attendance Councillor Steele (Chair of the Overview and Scrutiny Management Board).

**35.           DECLARATIONS OF INTEREST**

There were no Declarations of Interest to report.

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

A member of the public referred to a response to a petition he received the day after the last Council meeting, yet a petition he submitted on the 15<sup>th</sup> May, 2019, some fifteen weeks ago still had no response. He, therefore, asked when would he get a response and also to the email he sent to the Leader fifty days ago on the 26th July, 2019.

The Leader confirmed he and the member of the public had exchanged a number of e-mails over a period of time, but could not specifically remember the e-mail being referred to.

If he had not replied it was either an error on his part or he had not realised a further reply was required. He, therefore, asked the member of the public to send through the email again.

In a supplementary question the member of the public explained the Leader had been asked who to contact for further updates about the commissioning process to avoid having to go to the Leader directly. The Leader had actually e-mailed the member of the public on the 10th July, 2019 explaining about developments, the secure port and commissioning of services so asked for a brief update on current progress.

The Leader could recall the email and confirmed the commissioning process was ongoing and whilst there had been some technical issues with part of the consultation, the intention was for the activity to take place.

Scrutiny had also been undertaking a piece of work over the summer looking at provision in other parts of the country for CSE survivors and support services which would also feed into the review. The Leader was keen to make quick progress on this to ensure the completion of the commissioning process and new services being put in place.

The Leader would endeavour to pick this matter up outside of this meeting and feedback to the member of the public with the name of contact for commissioning.

**37. MINUTES OF THE PREVIOUS MEETING**

**Resolved:-** That the minutes of the Cabinet meeting held on 8<sup>th</sup> July, 2019, be agreed as true and correct record of the proceedings.

**38. 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 the Agenda Items 15, 17, 18 and 19 on the grounds that the appendices 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.

**39. ADULTS INDEPENDENT ADVOCACY SERVICES - COMMISSIONING AND PROCUREMENT APPROACH**

Consideration was given to the report which detailed the commissioning and procurement of independent advocacy services for adults, though this also included some provision for young people aged between 16 and 17 years old.

Independent Advocacy Services were necessary to meet all of the Council's statutory requirements under the Care Act 2014, the Mental Capacity Act 2005, the Mental Health Act 2007 and the Health and Social Care Act 2012. Statutory independent advocacy services specifically provided support to people:-

- Who may require assistance throughout the care and support assessment and through the review process.
- Who lacked mental capacity to make decision about themselves.
- Who were detained under the Mental Health Act.
- Who required support to complain about services provided by the NHS.

The Healthwatch contract was now coming to an end and needed to be retendered. Healthwatch did have an advocacy role so it would appear to be logical to include the NHS Complaints Advocacy (currently delivered by Healthwatch) in the scope of this advocacy procurement exercise, and to commence a tender process in line with Option Two outlined in the report, with the objective of mobilising new independent advocacy services from 1st April, 2020 for a contract period of 3 years + 1 + 1 arrangement.

Independent Advocacy Services that supported people to challenge benefit claims was outside the scope of this consideration, but should any issues relating to benefits come to the attention of the health and social care advocacy service, people were referred to the Citizen's Advice Bureau, Kiveton Park Advice Centre or if appropriate to the Department of Work and Pensions.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations, subject to G.Ps. being recommended to access training in respect of advocacy services through the protected training time and that, following twelve months of operation after the award of the contract, an update report detailing performance and outcomes be submitted to the Health Select Commission.

The Cabinet were happy to accept those recommendations.

**Resolved:-** (1) That the procurement of independent advocacy services be aligned to the service delivery model in preferred Option 2, described in this report.

(2) That the statutory NHS Complaints Advocacy Service be included in the scope of this procurement exercise.

(3) That the contract term be 3 years + 1 + 1.

#### 40. **PROCUREMENT OF A LOCAL HEALTHWATCH SERVICE**

Consideration was given to the report which detailed how the current contract for the provision of a local Healthwatch Service was in place until 31<sup>st</sup> March, 2020. The Service was due to come to the end of the contractual term and the extension clause had been exercised, thus requiring a formal procurement exercise. The current contract included the provision of the NHS Complaints Advocacy Service (NHSCAS) in addition to the Healthwatch function, both were statutory functions. A revised service specification and financial terms and conditions were agreed with an expectation that the funding would be allocated on a 65/35 split between the Healthwatch and the NHSCAS functions. This was in response to the revised budget for the Healthwatch contract agreed by Council in February, 2019.

Under the Council's Contract Procedure Rules a procurement exercise was, therefore, required to secure both services from April, 2020. It was intended that the NHSCAS provision would be included in the procurement exercise that was proposed for the Council's Independent Advocacy Services in 2019 (for provision from April, 2020). The Healthwatch function would be commissioned as a standalone service.

This was in line with the majority of other Local Authority approaches and would ensure that the focus of the service covered all aspects of health and social care and captured peoples' needs, concerns and experiences.

**Resolved:-** That Option 2 at Section 3.2 in the report be approved for the commencement of a tender on the open market for the procurement of a local Healthwatch Service for the period of 3 years from 1<sup>st</sup> April, 2020 to 31<sup>st</sup> March, 2023 (with an option to extend for a further year).

**41. HOUSING RELATED SUPPORT - CHILDREN AND YOUNG PEOPLE PATHWAY TENDER CONCLUSION INFORMATION UPDATE**

Further to Minute No. 69 of the meeting of the Cabinet held on 17<sup>th</sup> December, 2018, consideration was given to the report which provided an update on the conclusion of the procurement process.

The report, therefore, provided:-

- A brief summary of Housing Related Support and the changing needs of young people which led to the decision to redesign and procure the Young People aged 16 – 25 Service.
- Gave an overview of the new Young People aged 16 – 25 Service specification.
- Information on the tendering process and award of contract.
- Briefly outlined the profile of the successful service provider.
- Gave an overview of the implementation of the new service model.
- An overview of the future approach to contract performance reporting and monitoring.

The previous provision of supported housing consisted of three supported housing buildings. The buildings were all within close proximity of each other, accommodating up to 39 young people at one given time. This presented challenges for the previous service due to the number of anti-social behaviour reports in relation to young people's behaviours. It also impacted on relationships with the local residents and the community.

The new service model addressed housing a large number of young people in the same proximity, as it was considered an environmental factor that contributed to the issues the previous Service experienced with anti-social behaviour.

The new service model comprised a suite of options of accommodation, support and community based elements. The accommodation based provisions were more dispersed across the borough, the maximum of twelve young people accommodated in the Core provision.

The procurement of the new service was advertised in the Official Journal of the European Union (OJEU) and on YORtender in February 2019 with a closing date at the end of March 2019.

The evaluation process was completed with Roundabout Ltd identified as the successful organisation.

Cabinet Members welcomed the update and particularly noted that the organisation was a living wage employer so obviously not only benefits to the young people, but also to employees.

**Resolved:-** That the update be noted for:-

- The co-production work and re-design of a new service specification was successfully completed to enable a tender process to take place
- A competitive tendering exercise ran from 20th February to 28th March 2019.
- Roundabout Ltd were identified as the successful organisation and awarded the contract.
- The contract commenced on the 1<sup>st</sup> August 2019. The initial term of the contract is for two years, with an option of a further extension for a year.
- The overall contract value for two years is £1,050,000 (£1,575,000 with the third year).

**42. SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) PHASE 2 - NEW EDUCATION PLACES**

Further to Minute 147 of the meeting of the Cabinet held on 20<sup>th</sup> May, 2019, consideration was given to the Local Authority's proposals to utilise capital funding to increase the sufficiency of school places for children with Special Education Needs and Disabilities (SEND) in Rotherham.

Consultation had now taken place with schools and settings in accordance with Department for Education guidance and a number of projects have been identified across Rotherham to meet the needs identified within the 2019 SEND Sufficiency Strategy given that there was increased demand for specialist placements for children and young people in Rotherham with special educational needs. Insufficient places within Rotherham increased pressure on the already challenged High Needs Budget and resulted in young people being placed outside Rotherham in high cost independent special schools.

The creation of additional in-borough provision would, therefore, lead to a longer term saving on high needs funding as in-borough placements cost on average £30k per annum less than out-of-authority placements.

There was a clear particular need in Rotherham to respond to increased demand for places within mainstream schools for children and young people with a range of autism spectrum conditions, moderate learning difficulties and social, emotional and mental health difficulties.

Initially the parameters of the consultation were fixed to the proposals to increase places by fifty across Rotherham. However, the response from schools and post-16 providers was both creative and enthusiastic, resulting in realistic proposals to increase education provision for children and young people with special educational needs and disabilities by an additional one hundred and eleven places within the funding parameters available.

This approach would, therefore, allow the Local Authority to advance forward planning in relation to the next stage (phase 3 SEND sufficiency) to meet further future need due to demographic growth and support activity to reduce the deficit of the High Needs Budget.

This report, therefore, sought approval to utilise £1.186 million of available capital funding to create as part of Phase 2 one hundred and eleven additional school places in Rotherham starting from 2020, for children with special education needs and disabilities.

It was pointed out, however, that Phase 2 was not about disrupting good placements it was about making sure that there were more placements in the Authority moving forward for people who were coming into the system.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations.

**Resolved:-** (1) That the increase in education provision by one hundred and eleven places to be achieved by September 2020 be approved.

(2) That the £1.186 million available capital funding be utilised to create the additional infrastructure required to deliver the projects as set out at paragraph 2.8.

**43. RECOMMENDED ADOPTION OF POLICIES - SUPPORT FOR ELECTED MEMBERS**

Consideration was given to the report which detailed the outcome following the establishment of a working group of Members to review carers, maternity and paternity arrangements for Councillors, with the aim encouraging the next generation of women to play their part in politics in Rotherham.

The report presented the recommendations of the working group, specifically in the form of a policy document, and sought a recommendation to Council to amend the Members' Allowances Scheme to take account of the adoption of the policy.

The Working Group reviewed examples of parental leave policies which set out Members' entitlement to maternity, paternity, shared parental and adoption leave and relevant leave. The logic underpinning the policy was that improved provision for new parents would contribute towards increasing the diversity of experience, age and background of local authority Councillors. It was also written with a view to retaining experienced Councillors, especially women, and making public office more accessible to individuals who might otherwise feel excluded from it.

The Group also felt that the provisions for supporting disabled Councillors should be clarified from a policy perspective, so as to move away from the case by case approach adopted presently. It was considered that a clear statement of support would encourage more disabled candidates to stand for election.

The Independent Remuneration Panel was, therefore, required to be consulted upon any proposed changes to the Members' Allowances Scheme and any recommendations then considered by Council.

The Working Group recommended that the Independent Remuneration Panel be asked to consider:-

- Separating the allowance paid for adult care and child care, given the relative high cost of child care in crèches and nurseries.
- Setting these allowances at an appropriate rate paid to providers to reflect the cost of provision.

**Resolved:-** (1) That Council be recommended to amend the Members' Allowances Scheme (Appendix 8 of the Constitution), subject to the receipt of the recommendations from the Independent Remuneration Panel

(2) That the policies to support Elected Members in respect of parental leave, disabilities, arrangements for carers and dignity in dying be approved and be adopted, subject to the Council determining to amend the Members' Allowances Scheme.

#### **44. JULY FINANCIAL MONITORING REPORT 2019/20**

Consideration was given to the report which set out the financial position as at the end of July, 2019 and was based on actual costs and income for the first four months of 2019/20 and forecast for the remainder of the financial year. Financial performance was a key element within the assessment of the Council's overall performance framework, and was essential to achievement of the objectives within the Council's Policy Agenda. To that end, this was the second in a series of monitoring reports for the new financial year which would continue to be brought forward to Cabinet on a regular basis.

As at July 2019, the Council had a forecast year-end overspend of £4.6m on the General Fund.

The Section 151 Officer confirmed this was not a position the Authority wished to find itself in with a projected overspend. Last year the Authority out-turned £3.2 million better so if it did need to call on reserves it was no worse off than expected to have been some months ago.

Officers were, however, working hard to see where the overspend could be pulled back before the end of the year. An update was to be made to the Medium Term Financial Strategy for consideration by Cabinet in November along with the September financial monitoring. The Government's high level spending round indications had now been received which would help with the update.

There needed to be focus in the medium term to ensure all the predicted savings were being delivered and all the initiatives and changes that have been implemented continue as planned.

In terms of the Capital Programme this was a reduced figure for the current year from what was brought to Cabinet in July. This was due to a number of schemes slipping into future years so the overall programme was broadly the same, but some schemes would slip into future years.

The CYPS programme had been reviewed in detail to assess how the available unallocated grant resources could be more effectively utilised to support programme objectives. Following this review, with a particular focus on the requirements of the Special Educational Needs (SEN) programme, £0.838m of corporate resource funding had been replaced with schools grant funding.

**Resolved:-** (1) That the current General Fund Revenue Budget forecast of £4.6m overspend be noted.

(2) That continuing action taken to mitigate the forecast overspend be noted.

(3) That the Capital Programme update be noted.

**45. COUNCIL PLAN MONITORING QUARTER 1 (APRIL TO JUNE 2019)**

Consideration was given to the Council Plan, which was the core document that underpinned the Council's overall vision. The Plan set out the headline priorities, outcomes and measures that would demonstrate delivery of the vision. The process for monitoring performance against the vision was set out in the Council's Performance Management Framework which explained to all Council staff how robust performance monitoring should be carried out.



The Council Plan for the period 2017-2020 was approved by Elected Members at the Council meeting on 12<sup>th</sup> July 2017. Refreshed performance measures covering the 2019-2020 financial year were approved by Cabinet on 20<sup>th</sup> May, 2019 and Council on 24<sup>th</sup> July, 2019.

To ensure that the delivery of actions and their impact was assessed, formal quarterly performance reports were presented in public at Cabinet meetings, with an opportunity for Scrutiny consideration if required. This report, therefore, was the first report in the 2019-2020 reporting cycle covering Quarter 1 (1<sup>st</sup> April, 2019 to 30<sup>th</sup> June, 2019).

The Performance Report and Performance Scorecard included in Appendix A provided an analysis of the Council's current performance against thirteen key delivery outcomes and sixty-nine measures and was based on the currently available data. It also included an overview of progress on key projects and activities which contributed to the delivery of the Council Plan.

At the end of Quarter 1 thirty-one measures had either met or had exceeded the target set in the Council Plan. This represented 55% of the total number of measures where data was available or where targets have been set. This was a significant improvement in performance compared to Quarter 1 2018-2019 where only 47% of measures hit their targets. The priority area with the highest proportion of targets met was Priority 4 (Extending opportunity, prosperity and planning for the future) where 75% of measures (where data was available or where targets have been set) were marked as on target.

The direction of travel was positive for twenty-nine (53%) of the measures calculated in this quarter. This was an improvement compared to the 51% figure for last quarter and 45% in Quarter 1 2018-2019.

Councillor Allen, Cabinet Member for Cleaner Greener Communities wished to highlight that on Priority 3 the indicators that related to Culture, Sport and Tourism were already exceeding 25% at this stage in the year, which was positive.

It was further pointed out that in terms of street cleansing and grounds maintenance complaints, the number was less than it was at the same comparable period last year, but service requests had increased substantially. Upon further investigation the concerns were about visual amenity and the significant weed growth this year. Weed removal involved an annual treatment, but due to the weather this weed growth was over and above what would be expected. As a result steps were being taken to provide suburban grubbing out of weeds over the next few weeks and months across the major highways and there would be an additional weed removal programme administered.

Councillor Watson, Deputy Leader, also commented, given the overspend on social care, that the numbers of children on a Child in Need plan were below target and continuing to decrease. This was as a result of the work being undertaken to bring those numbers down.

In addition, the number of children on Child Protection Plans had not come down, but was not at the level expected. In the medium to long term this should have a dramatic effect on finances.

Also worthy of note were the efficiencies in the SEND sufficiency model which were developing well.

**Resolved:-** (1) That the overall position and direction of travel in relation to the Council Plan be noted.

(2) That measures which were not achieving their targets and the actions required to improve performance, including future performance clinics, be discussed.

(3) That the performance reporting timetable for 2019-2020 be noted.

#### **46. REVIEW OF POLLING PLACES 2019 - FINAL PROPOSALS**

Further to Minute No. 75 of the meeting of the Cabinet held on 17<sup>th</sup> December, 2018 and Minute No. 133 of Council held on 23<sup>rd</sup> January, 2019, consideration was given to the report following the proposed review of polling places. This involved a public consultation on the current polling scheme and the Returning Officer's proposals which started on 4<sup>th</sup> February, 2019 and ended on 26<sup>th</sup> April, 2019.

This report, therefore, considered the responses and final proposals for determination, for recommendation to Council.

The new Ward boundaries had been taken into account alongside disability access and the impact on schools.

Cabinet Members welcomed the report from a Children's Services point of view in that the number of schools used as polling stations had been reduced.

**Resolved:-** (1) That Council be recommended to note the submissions made in respect of the review of polling districts and polling places for the borough of Rotherham.

(2) That the adoption of the polling district boundaries as outlined in Appendix 1 and the maps found in Appendix 4 be given be approved.

(3) That the final proposals for polling places as detailed in Appendix 1 to this report be approved.

(4) That the Electoral Registration Officer be requested to make the necessary amendments to the polling districts to take effect from publication of the revised register on 1st December, 2019.

(5) That the power to designate polling places in accordance with Section 18B of the Representation of the People Act 1983 continue to be delegated to the Chief Executive, such power to be exercised only in circumstances where a decision is required at short notice and it is not possible to await a decision of Council.

**47. NEW APPLICATIONS FOR BUSINESS RATES DISCRETIONARY RELIEF FOR ROTHERHAM RISE AND SEA CADETS CORE**

Consideration was given to the report which detailed two applications for the award of a business rate discretionary relief. This was in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12<sup>th</sup> December, 2016).

In terms of the first organisation it was considered to be in line with the Council's qualifying criteria as set out in its Policy as it provided a range of support services for women and children who have been affected by violence and abuse. The organisation had recently moved to a new address so were, therefore, requesting relief on the new premises.

The second application was also considered to be in line with the Council's qualifying criteria as set out in its Policy. The group was run by adult volunteers and made no payment to individuals.

**Resolved:-** That 20% top up discretionary relief be awarded to Rotherham Rise, for the period 15<sup>th</sup> January, 2019 to 31<sup>st</sup> March, 2020 and to the Sea Cadets Core, for the period 1<sup>st</sup> April, 2019 to 31<sup>st</sup> March, 2020.

**48. NEW APPLICATION FOR BUSINESS RATES HARDSHIP RELIEF**

Consideration was given to the report which detailed an application for business rates hardship relief. This was in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12<sup>th</sup> December, 2016).

The application for the award of hardship relief did not meet the Council's qualifying criteria as set out in its Policy as there was nothing to suggest that awarding relief would lead to the long term sustainability of the business.

The need did not appear to be short term and the level of assistance which would be given in terms of an award to cover the business rates would have limited impact on the overall financial position of the company.

**Resolved:-** That the application for hardship relief be refused.

**49. LOCAL PLAN: CONSULTATION ON DRAFT SUPPLEMENTARY PLANNING DOCUMENTS**

Consideration was given to the report which sought approval to undertake public consultation on the following draft Supplementary Planning Documents:-

- Householder Design Guide.
- Development in the Green Belt.
- Equal and Healthy Communities.
- Town Centre Uses and Developments.
- Air Quality and Emissions.
- Shop Front Design Guide.

Rotherham's Local Plan provides the framework for determining planning applications. Supplementary Planning Documents provided additional detail and guidance to support policies in the Local Plan. Once adopted, they were a material consideration which could be taken into account when determining planning applications. Supplementary Planning Documents helped improve planning applications, which in turn could speed up the planning process and produce better outcomes for the community.

Cabinet Members welcomed the importance of taking on board national and local principles and standards which did change over time, especially so with preventative work on obesity and the proposals to restrict the number of fast-food takeaways near schools.

**Resolved:-** (1) That public consultation on the draft Supplementary Planning Documents at Appendices 2 to 7 be approved.

(2) That following consultation a further report be brought to Cabinet regarding adoption of the Supplementary Planning Documents.

**50. COMMUNITY ENERGY SWITCHING SCHEME**

Further to Minute No. 79 of the meeting of the Cabinet held on 17<sup>th</sup> December, 2018, approval was given to identify a partner through the OJEU procurement process to develop a community energy switching scheme. This report recommended the acceptance of a tender to set up a Community Energy Switching Scheme, available to all Rotherham residents, which could save an average 3 bed semi-detached household up to £300 per year.

This not-for-profit company seek to support some of the most vulnerable residents and be of benefit to the whole borough.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations, but requested that an update report on the performance and outcomes from the Community Energy Switching Scheme be submitted to the Improving Places Select Commission after twelve months from the commencement of the scheme.

**Resolved:-** That the development of a community energy switching scheme in partnership with bidder B be approved.

51. **DISPOSAL OF SURPLUS PROPERTIES: KIVETON YOUTH AND COMMUNITY CENTRE, THE FORMER KEEPERS COTTAGE AT ULLEY RESERVOIR; AND THE SITE OF THE FORMER COPELAND LODGE AND ADJACENT LAND**

Consideration was given to a report which sought approval to dispose of the Council's freehold interest in the following surplus properties:-

- a) Former Kiveton Youth and Community Centre.
- b) Former Keepers Cottage Ulley Reservoir.
- c) The site of the former Copeland Lodge and adjacent land.

All the properties have all been declared surplus to requirements by service users and following internal consultation no alternative uses have been identified. The properties were also vacant which posed a risk to the Council not only in terms of securing or maintaining properties, but with the continuing holding costs.

**Resolved:-** (1) That the disposal of the Council's freehold interest in the following properties be approved:-

- a) Former Kiveton Youth and Community Centre.
- b) Former Keepers Cottage Ulley Reservoir.
- c) Former Copeland Lodge and adjacent land.

(2) That the Assistant Director, Planning Regeneration and Transport be approved to dispose of the assets by implementing the most appropriate method of disposal to help expedite the process, whilst ensuring that best consideration is achieved under Section 123 – Local Government Act 1972.

(3) That the Assistant Director of Planning Regeneration and Transport negotiate the terms of disposals.

(4) That the Assistant Director of Legal Services negotiate and complete the necessary legal documentation.

**52. PROPOSED COMPULSORY PURCHASE ORDER (CPO) ACQUISITION  
- UNIT 1 RIVERSIDE PRECINCT**

Consideration was given to the report which sought approval to invoke a Compulsory Purchase Order (CPO) for the acquisition of the remaining leasehold interest at Unit 1, Riverside Precinct, Corporation Street, Rotherham, should a purchase by agreement not be forthcoming.

Acquisition of the remaining leasehold interest would facilitate the development of Forge Island. Every effort was being made to work with the leaseholder and alternative premises had been offered. Negotiations were ongoing and it was hoped these would be successful to enable the Council to move forward. However, should negotiations not be successful, the Compulsory Purchase Order process would be taken forward.

The process was not seeking to put a leaseholder out of business, but was more about suitable relocation and the appropriate level of recompense in a similar vein to other leaseholders in that same area.

**Resolved:-** (1) That a Compulsory Purchase Order (CPO) be invoked for the acquisition of the remaining leasehold interest at Unit 1 Riverside Precinct Rotherham.

(2) That the Assistant Director Planning Regeneration and Transport, in conjunction with The Assistant Director of Legal Services, prepare and publish the Order.

(3) That the Assistant Director Planning Regeneration and Transport continue to negotiate a purchase by agreement with the leaseholder whilst the Compulsory Purchase order process is ongoing.

**53. STRATEGIC MANAGEMENT AND MAINTENANCE OF ROTHERHAM'S  
HIGHWAYS**

Consideration was given to the report which detailed how the Council had a statutory duty to maintain its highways through Section 41 of the Highways Act 1980 and described how Rotherham's highways were strategically managed and maintained in accordance with the Highway Asset Management Policy, Strategy and Highway Asset Management Plan (HAMP).

The report reviewed the current strategy for the Management and Maintenance of Rotherham's Highway and the impact the increased investment 'Roads 2020' had had on the highway network and described further the current performance both in terms of the condition of Rotherham's highways, and in terms of the delivery of highways maintenance services.

The Council pledged to invest in roads locally and had prioritised residential roads, the streets that people lived on, as part of this programme. This prioritisation of resurfacing roads rather than fixing potholes was a long term investment to improve the condition across the borough.

Of particular note was the work undertaken by in-house Council staff and whilst it was acknowledged there was some disruption during the works, numerous compliments about the work were received.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations.

**Resolved:-** (1) That the strategic approach to the Management and Maintenance of Rotherham's Highways be endorsed.

(2) That the impact of the additional Rotherham Metropolitan Borough Council capital investment to improve the local (unclassified) road network be noted.

#### **54. AMENDMENT TO THE GENERAL ENFORCEMENT POLICY**

Consideration was given to the report which detailed the outcome of the public consultation carried out to seek views on an amendment to the Council's General Enforcement Policy to include surveillance of social media in particular in relation to fly-tippers and rogue traders, as an investigatory tool.

A significant majority of respondents agreed that the Council should use such tools to tackle fly-tippers and rogue traders who utilised social media to commit offences. This would only involve officers within the policy the ability to check social media to actively monitor the activities of a particular trade. Anything of a more covert position would require a more detailed legal process.

The Council's General Enforcement Policy had, therefore, been amended to reflect this outcome.

**Resolved:-** That the outcome of the consultation be noted and the revised General Enforcement Policy be adopted.

#### **55. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

Consideration was given to the circulated report, the contents of which were included as part of the relevant items and the details included accordingly.

**56. DATE AND TIME OF NEXT MEETING**

**Resolved:-** That the next meeting of the Cabinet take place on Monday, 21<sup>st</sup> October, 2019 at 10.00 a.m.