

THE CABINET
17th February, 2020

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)

Apologies for absence were received from Councillors .

113. DECLARATIONS OF INTEREST

Councillor Lelliott declared a personal interest in respect of Item 10 on the agenda (Business Rates Discretionary Relief Renewals in 2020/21) on the basis that she was a trustee of the Cortonwood Comeback Community Centre.

114. QUESTIONS FROM MEMBERS OF THE PUBLIC

A member of the public asked whether it was ethical and acceptable for Leader of the Council or any Elected Member to identify that a member of the public had suffered a serious illness in a pre-prepared answer. In response, the Leader sought clarification that the individual asking the question was referring to a response provided to a question at a previous Council meeting in January 2020 and confirmed his understanding that he did not identify any individual. If the response had referred to individual medical histories, but the Leader was clear that he had not referred to an individual or provided information by which an individual could be identified that would be within the parameters of the law on information that could be publicly discussed.

In supplementary remarks, the member of the public stated that it was surely correct to be on the right side of the law and it was important to be seen by survivors of child sexual exploitation (CSE), those who assist survivors and the wider community as being on the right side of the line, as there had been an implication that someone could be identified as a survivor. In response, the Leader agreed that it was correct that it was important to be seen to be on the right side of the law. He further indicated that he would reflect on the comments made and take representations.

Another member of the public attended the meeting to ask the Leader of the Council what he considered his legacy, especially in relation to support for adult survivors and victims of CSE, to be after five years in the role as Leader. In response, the Leader did not believe it was appropriate to talk about legacies, but with regard to CSE, he reflected that Rotherham was in a better place after five years, and after another five years, it would be in a lot better place. He reiterated the need to continue to learn and support people.

In a supplementary question, the member of the public referred to a publication which had documented the voices and experiences of victims and survivors of CSE and the processes that he had gone through to get to the truth in respect of the Council's actions in respect of the publication. He considered that part of the legacy was that the truth had not been told about the publication. The member of the public told the Leader that his legacy could be to ensure that the truth was told in respect of the publication. In response, the Leader referred to the publication as casting some light on a difficult and dark time in the history of the borough, but he disagreed with the remarks that he would be able to do anymore than he had previously in respect of the publication and he was not in a position to reopen a discussion on the matter.

115. MINUTES OF THE PREVIOUS MEETING

Resolved:-

That the minutes of the previous meeting of the Cabinet held on 20 January 2020 be approved as a true and correct record of the proceedings.

116. 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 Item 7 on the grounds that the appendix of the report involves 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.

117. TO LAUNCH A NEW BUILDING BASED RESPITE OFFER TO REPLACE CURRENT PROVISION

Consideration was given to a report which proposed that the Council utilise two newly developed detached properties at Conway Crescent, East Herringthorpe to provide an alternative respite offer for up to eight people per day at any one time.

It was reported that one of the buildings had been developed to be autism friendly and the other with equipment for people with physical care and support needs, such as a ceiling track hoist. This would provide a more effective and inclusive provision. The Conway Crescent properties would potentially enable a respite offer to a wider range of people, who previously could not always use the Councils in-house respite facilities due to access issues.

Members noted that the proposal for Conway Crescent was part of a range of options that support the principles of My Front Door, in offering personalised, flexible care and support to meet individual needs for people with a Learning Disability and/or Autism. The Conway Crescent services would:

- support unpaid carers
- support people in receipt of care and support to have a 'good day'
- enable people in receipt of care and support to realise their potential and develop life skills

Resolved:-

1. That the contents of the report be noted and approval be given to the recommended option for the Council to continue to provide a respite service from the new location at Conway Crescent as set out in the report.
2. That the proposed service of notice on the current provider within the terms of the contract to terminate the block contract for Learning Disability residential respite beds be noted.

118. OPERATIONAL DELIVERY OF LAC SUFFICIENCY STRATEGY - PROPOSALS TO DEVELOP NEW RESIDENTIAL PROVISION

Consideration was given to a report which outlined Rotherham Children and Young People's Services strategic intention to reduce external residential placements and ensure more Rotherham looked after children and young people are placed within borough close to their family and community networks.

It was reported that Rotherham was a regional, statistical neighbour and national outlier for the number of looked after children and young people placed in out of area external residential placements. Rotherham did not have any in-house residential provision, so when a child required a residential placement this was provided through an external provider. Such placements were high cost and predominantly out of borough. The report proposed to develop a range of in-house residential provision including emergency accommodation for Rotherham looked after children.

It was noted that such new provision, along with foster care, third party in-borough block contracts, semi independent provision and other family based placements, would provide a mixed economy of arrangements which would effectively meet Rotherham's statutory duties, outlined in the Sufficiency Strategy 2019 -2022. The proposal also provided an opportunity for Rotherham to invest in residential provision which would:

- Ensure more children and young people are placed in Rotherham close to their communities, families, friends and schools.
- Deliver improved outcomes for looked after children.
- Develop a service model that encourages step-down to family based placements.
- Provide a local response to the increasing demand for a range of residential placements.
- Provide greater flexibility and control of provision.
- Reduce placement costs and support the delivery of directorate savings.

Resolved:-

1. That the proposal to develop in-house residential provision in the borough, as required to deliver the LAC Sufficiency Strategy 2019-2022, be approved.
2. That approval be given to progress to operational delivery of two properties in the first instance and also for the continued development of the plan to deliver the intention of the strategy.
3. That a further report be presented to Cabinet on the submission of the Ofsted registration for the first two homes, and any requests for permission to move to the next stage of the programme which will include an update on the financial implications

119. DECEMBER FINANCIAL MONITORING 2019/20

Consideration was given to a report which set out the financial position as at the end of December 2019 and was based on actual costs and income for the first nine months of 2019/20 and forecast for the remainder of the financial year.

It was reported that financial performance was a key element within the assessment of the Council's overall performance framework, and was essential to the achievement of the objectives within the Council's policy agenda. To that end, the report was the fourth in a series of monitoring reports for the current financial year which would continue to be brought forward to Cabinet on a regular basis.

It was noted that, as at December 2019, the Council had a forecast year-end overspend of £4.0m on the General Fund. The report also outlined an interim update to the Council's Medium Term Financial Strategy.

The report had been subject to pre-decision scrutiny by the Overview and Scrutiny Management Board on 12 February 2020 where Members had indicated their support for the recommendations. Furthermore, Overview and Scrutiny Management Board had indicated that further financial monitoring reports should be brought to them for consideration in advance of them being considered by Cabinet. Having considered this recommendation, Cabinet were supportive of the proposal from the Overview and Scrutiny Management Board.

Resolved:-

1. That the current General Fund Revenue Budget forecast of £4.0m overspend be noted.
2. That it be noted that actions will continue to be taken to mitigate the forecast overspend.
3. That the Capital Programme update be noted.
4. That the approval be given to the recommendation from Overview and Scrutiny Management Board that further financial monitoring reports be brought to the Overview and Scrutiny Management Board for its consideration in advance of them being considered by Cabinet.

120. BUDGET AND COUNCIL TAX 2020-21 AND MEDIUM TERM FINANCIAL STRATEGY

Consideration was given to a report proposed the Council's Budget and Council Tax for 2020/21, based on the Council's Provisional Local Government Finance Settlement for 2020/21, budget consultation and the consideration of Directorate budget proposals through the Council's formal Budget process alongside a review of the financial planning assumptions within the Medium Term Financial Strategy.

In setting the proposed 2020/21 budget, Cabinet was asked to recommend to Council, an increase of 0.99% in the Council's basic Council Tax and an Adult Social Care precept of 2.0%. The report proposed the revenue budget for 2020/21, being the second year of the two-year budget for 2019/20 and 2020/21 set by Council in February 2019.

Members of the Cabinet highlighted specific areas of investment in the forthcoming budget and reflected on what had been delivered against the existing financial strategy of the authority.

It was noted that the proposals had been subject to pre-decision scrutiny by the Overview and Scrutiny Management Board on 12 February 2020, where Members had expressed concern at the lack of clarity from central government in respect of the final settlement position for the 2020-21 budget and had recommended that further reports be submitted detailing the potential impact of any significant changes to government funding streams received by the Council, at such a time as any changes might occur.

Resolved:-

1. That Council be recommended to:-
 - i. Approve the Budget and Financial Strategy for 2020/21 as set out in the report and appendices, including the proposed budget adjustments and investments, a basic Council Tax increase of 0.99% and an Adult Social Care precept of 2.0%.
 - ii. Approve the updated Medium Term Financial Strategy (MTFS) to 2022/23.
 - iii. Approve the Reserves Strategy as set out in Section 2.8 noting that the final determination of Reserves will be approved as part of reporting the financial outturn for 2019/20.
 - iv. Note and accept the comments and advice of the Strategic Director of Finance and Customer Services (Section 151 Officer), provided in compliance with Section 25 of the Local Government Act 2003, as to the robustness of the estimates included in the Budget and the adequacy of reserves for which the Budget provides (Section 2.12).
 - v. Note the consultation feedback from the public, partners and Overview and Scrutiny Management Board (OSMB) following public consultation on the Council's budget for 2020/21 which took place from 13th December 2019 to 13th January 2020 (Section 4).
 - vi. Approve the proposed increases in Adult Social Care provider contracts as set out in Section 2.4.
 - vii. Approve the changes to allowances for Special Guardianship Orders and Child Arrangement Orders as set out in Paragraph 2.6.9.
 - viii. Approve the investment proposals set out in Section 2.7 and Appendix 2.
 - ix. Approve the Council Fees and Charges schedules for 2020/21 attached as Appendix 7.

- x. Apply the Business Rates Reliefs as set out in Section 2.9, in line with Government guidance.
 - xi. Approve the proposed Capital Strategy and Capital Programme as presented in Section 2.10 and Appendices 3A to 3F.
 - xii. Approve the Treasury Management Matters for 2020/21 as set out in Appendix 4 of this report including the Prudential Indicators, the Minimum Revenue Provision Policy, the Treasury Management Strategy and the Investment Strategy.
 - xiii. Approve the Flexible use of Capital Receipts Strategy 2020/21 (Appendix 5).
 - xiv. Approve that the Capital Programme budget continue to be managed in line with the following key principles:
 - a. Any underspends on the existing approved Capital Programme in respect of 2019/20 be rolled forward into future years, subject to an individual review of each carry forward to be set out within the Financial Outturn 2019/20 report to Cabinet.
 - b. In line with Financial and Procurement Procedure Rules 6.17 and 13.9, any successful grant applications in respect of capital projects will be added to the Council's approved Capital Programme on an ongoing basis.
 - c. Capitalisation opportunities and capital receipts flexibilities will be maximised, with capital receipts earmarked to minimise revenue costs.
2. That the recommendation from the Overview and Scrutiny Management Board proposing that further reports be submitted detailing the potential impact of any significant changes to government funding streams received by the Council, at such a time as any changes occur, be supported.

121. BUSINESS RATES DISCRETIONARY RELIEF RENEWALS IN 2020/21

Consideration was given to a report in respect of the renewal applications for the awards of Discretionary Business Rate Relief for a variety of organisations and premises. The report was submitted in accordance with the Council's Discretionary Business Rates Relief Policy, which had been approved by Cabinet on 12 December 2016.

Resolved:-

1. That approval be given to the applications for Discretionary Business Rate Relief for the organisations listed in Appendix 1 of the report and in accordance with the details set out in Section 6 of the report, for the 2020/21 financial year.

122. 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.

123. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next meeting of the Cabinet be held on Monday 23 March 2020 commencing at 10.00 a.m. in Rotherham Town Hall.