

**COUNCIL MEETING  
30th September, 2020**

Present:- The Mayor (Councillor Jenny Andrews) (in the Chair); Councillors Alam, Albiston, Allen, Atkin, Beaumont, Beck, Bird, Brookes, Buckley, Carter, Clark, Cooksey, Cowles, B. Cutts, Elliot, M. Elliott, R. Elliott, Ellis, Fenwick-Green, Hague, Hoddinott, Ireland, Jepson, Jones, Keenan, Khan, Lelliott, McNeely, Mallinder, Marles, Marriott, Pitchley, Read, Reeder, Roche, Rushforth, Russell, Sansome, Senior, Sheppard, Short, Simpson, Taylor, John Turner, Julie Turner, Tweed, Vjestica, Walsh, Williams, Watson, Wyatt and Yasseen.

The webcast of the Council Meeting can be viewed at:-  
<https://rotherham.public-i.tv/core/portal/home>

**379. ANNOUNCEMENTS**

The Mayor was pleased to present her activity since the last Council meeting which was attached for information to the Mayor's Letter, but drew particular attention to:-

- Yorkshire Day – 1<sup>st</sup> August 2020 – recording of short video message for the Yorkshire Society which was published on their website.
- Zoom Meeting with the New Zealand Yorkshire Society along with Cabinet Member, Councillor Sarah Allen, and the Chief Executive.
- VJ Day – 15<sup>th</sup> August 2020 - two minute silence and recorded message followed by an online performance of Lorrie 'The Vera Lynn Story'.
- Forthcoming Remembrance Sunday – 8<sup>th</sup> November, 2020.
- Dalton Parish Council's Remembrance Service – 8<sup>th</sup> November, 2020.
- Redeployment of Civic Officers – Riverside Food Bank.

**380. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Cusworth, D. Cutts, Fenwick-Green, Jarvis, Napper, Steele and Whysall

**381. COMMUNICATIONS**

There were no communications received.

**382. MINUTES OF THE PREVIOUS COUNCIL MEETING**

**Resolved:-** That the minutes of the meeting of Council held on 22<sup>nd</sup> July, 2020, be approved for signature by the Mayor.

Mover:- Councillor Read

Seconder:- Councillor Watson

**383. PETITIONS**

The Mayor introduced the report and confirmed the receipt of two petitions received since the last Council meeting which had not met the threshold for consideration by Council.

**382.** Containing 30 signatures calling on the Council for replacement pavements and crossings on Well View Road.

Mr. L. Ashton and Mr. S. Collins addressed the Council as part of the presentation of the petition.

**383.** Containing 22 signatures calling on the Council to explain why a report on RMBC's website (presented to the Improving Live Select Committee in March, 2020) continued to communicate errors of fact after these errors were pointed out.

Councillor Cowles addressed the Council as part of the presentation of the petition.

**Resolved:-** (1) That the report be received.

(2) That the relevant Strategic Directors be required to respond to the lead petitioners as set out by 14<sup>th</sup> October, 2020.

**384. DECLARATIONS OF INTEREST**

Councillor Senior declared a personal interest in Minute No. 383 (Public Questions and specifically Question 3 on the grounds of her employment). She was not present in the meeting when questions were asked.

**385. PUBLIC QUESTIONS**

(1) Mr. Peter Thirlwall asked, following his complaint to the Standards Board about Brian Cutts' failure to complete his register of interests, the Board decided to take no action against Councillor Cutts, but instead decided that the best course of action would be to regularly remind all Members of their obligations. Therefore, he asked could the Chair of the Board tell him if this had been done?

Councillor McNeely confirmed it had. She also confirmed this matter had been considered by the Standards and Ethics Committee at its meeting in January, 2020 where the Legal Officer recommended reminders being issued to Members on a six monthly basis. The Committee recommended this take place on a monthly basis and this practice had continued to take place.

In a supplementary question Mr. Thirlwall referred to training that had been provided for many years for Members and again for UKIP Members on the Register of Interests. The Legal Officer had also met with Councillor B. Cutts to remind him of the importance of updating his Register of Interests, but still with monthly reminders, his current Register of Interests still had him registered as a Brexit Party member. This was the same for Councillor John Turner and Councillor Reeder who was not registered to any political party. Last September as Chair of Standards you advised all Members had been emailed to alter their Register of Interests. Councillor B. Cutts altered his on the 4<sup>th</sup> September, 2019, but he still was registered as a Brexit Party member. He, therefore, asked what the Chair of Standards was going to do about it.

Councillor McNeely explained she had listened and been guided by the Legal Officer accordingly. She confirmed that in a meeting with the former Brexit Party and Legal Services it was explained to them what needed to be done. They gave their assurances this would be undertaken. Councillor B. Cutts was not at that meeting and subsequently the Legal Officer had met with him and again he assured everything would be brought up-to-date. If this was not the case then the Legal Officer would be requested to take action.

(2) Elizabeth was not present at the meeting so would receive a response to her question in writing.

(3) Mr. John Smith was not present at the meeting so would receive a response to his question in writing.

(4) Mr. Gerald Dempsey was not present at the meeting so would receive a response to his question in writing.

(5) Ms. Margaret Edge was not present at the meeting so would receive a response to her question in writing.

(6) Ms. Philomena Holland was not present at the meeting so would receive a response to her question in writing.

(7) Mr. Liam Harron asked would the Leader agree to a debate in public (with appropriate social distancing arrangements), ideally before the next Council meeting scheduled for 11th November, 2020, with one or more adult survivors of CSE about (and he quoted the Leader) “the progress the Council and our partners have made in dealing with CSE in Rotherham over the last few years”.

The Leader confirmed the Council had made significant progress, validated by Ofsted and the Government’s intervention, by the fact that more than thirty perpetrators of CSE were now behind bars and that most people who have used the Council’s Post-Abuse Services have indicated those services have helped them over the past five years.

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This did not mean that everyone had had a good experience, or that it was not legitimate for individuals to have concerns. The Council would continue to listen and learn.

The Leader confirmed he was always willing to meet with CSE survivors and take learning from them on board. What he did not wish to do was to enter into some form of public debate which could put survivors into a difficult environment. He indicated he was happy to receive representations, but was not willing to enter into a public debate the way described.

In a supplementary question Mr. Harron referred to how on the 16<sup>th</sup> December, 2014 he had met with the former Leader, Paul Lakin, and offered his help. Unfortunately, following a series of unfortunate events causing delays and the series of unfortunate events on the 10<sup>th</sup> July, 2020 was just a further example.

Mr. Harron had requested single point of contact to Paul Lakin and he asked the Leader again if he would reinstate a single point of contact for communications rather than him bothering the Leader with the questions. He would prefer to contact a senior officer for himself and for the victims and survivors who he represented to ensure a single point that could be trusted.

The Leader explained he was happy to take this request back for consideration, but pointed out a single email inbox had been made available to Mr. Harron for him to contact the Council. This ensured queries were sent to the most appropriate officer.

(8) 'T' was not present at the meeting so would receive a response to her question in writing.

(9) Ms. Chrissy Meleady MBE, was not present at the meeting so would receive a response to her question in writing.

(10) Mr. Paddy Cawkwell explained he had watched the webcast of the Improving Lives Select Commission (ILSC) meeting on 22<sup>nd</sup> September, 2020 and asked what exactly was the scrutiny role of the Improving Lives with respect to the consultation with victims and survivors of CSE about the re-commissioning of Post Abuse Services and were there any other scrutiny mechanisms in place with respect to this vitally important process?"

The Leader explained the recommissioning process was an operational process carried out by officers working under the direction of the Chief Executive, to the strategic direction of the Councillors who exercised decision making through Cabinet.

The Council's Scrutiny function provided the opportunity for Members to focus additional oversight and attention on ensuring those operational processes were fit for purpose and that the Council's policies were working as intended and to make any recommendations into the Executive on how functions may be better discharged.

The route for Scrutiny that regulated that activity was through the Improving Lives Select Commission.

In a supplementary question Mr. Cawkwell referred to perpetrators being sent into custody, but further asked if, as part of the consultation for Post Abuse Services, the Council had consulted with survivors and victims of CSE, was there any victim/survivor involvement and engagement, were they used as stakeholders or any outside agency?

The Leader explained the consultation process on the recommissioning of Post-Abuse Services had since closed. A report had been considered by the Cabinet where they agreed to recommission and the tendering process was currently taking place with the new contracts coming into effect later this year.

As part of the process there was engagement with stakeholders and there was an open forum for survivors, for those who had and had not used the services previously, to help shape what services would look like and for them to feedback.

(11) Mr. John Cape was not present at the meeting so would receive a response to his question in writing.

(12) Mrs. Mary Harron was not present at the meeting so would receive a response to her question in writing.

(13) Dr. Firas Miro was not present at the meeting so would receive a response to his question in writing.

(14) Ms. P. Cialfi was not present at the meeting so would receive a response to her question in writing.

**386. EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved:-** That under Section 100(A) of the Local Government Act 1972, that should the Mayor deem it necessary the public be excluded from the meeting on the grounds that any items involve the likely disclosure of exempt information as defined under 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.

**387. LEADER OF THE COUNCIL'S STATEMENT**

The Leader wished to highlight the concerns and the current rise in confirmed COVID-19 cases nationally and the tightening of restrictions that this had brought to try and bring this awful virus back under control.

Over the summer a substantial reduction had been seen in the number of cases in Rotherham. After the horror of more than 330 deaths, for five weeks there were none at all. At one stage there were no COVID-19 patients in Rotherham hospital.

The Leader's sincere thanks went to all sections of the Rotherham community for the calm and responsible way they went about their business. Rotherham was spared some of the terrible things that have happened elsewhere. Its religious institutions, the churches and mosques, voluntary sector groups, all stepped up brilliantly and very often with the support of Elected Members.

It had been hoped that a relatively more stable position would be in place, but this was not the case.

Last week cases rose steeply with 139 new cases confirmed (53 per 100,000). Those numbers varied from day to day, which was why the Council only reported on the end of week published figures. All the indications since then were that the number of infections continued to rise rapidly.

The number of patients in hospital was still rising as, sadly, were the number of fatalities. There was a three or four week delay from cases being identified, when people became ill, before they passed away. It was almost inevitable that people who were infected today would not be around in a month's time.

It would not be a surprise to see Rotherham return to the national watchlist this week. The cases confirmed were across several Wards with no hotspots or spikes being recorded at the current time. Whilst younger people have been disproportionately affected, all age groups had seen infections.

Many were also affected by the failure of the national testing system. The shortage of lab capacity had meant that people in the Borough had been left waiting for appointments, which was not good enough and was a failure.

Big areas of the North West, West Yorkshire and the North East have all been severely affected, as everyone knows so Rotherham was far from alone.

People were urged to act responsibly and to:-

- Keep 2 metres apart whenever possible.
- [Wash hands often](#).
- Self-isolate and [get tested if you have symptoms](#).
- Wear a face covering [whenever required](#).

People were also urged to download and use the NHS Covid smartphone app. This had, indeed, been a difficult year, but together the Borough would get through this and eventually lives would return to normal. Everything would be done to protect jobs and ensure that the world being returned to was better than the one left behind.

Everyone please be careful, stay safe, and look after each other.

Councillor Carter echoed the remarks about the community and personal sacrifice made by people, but believed the Council should be doing more with the Public Health role. He asked would the Council give a commitment to do more Public Health meetings with key stakeholders so that communities could be better informed and ask questions of what the Council was doing to keep abreast of local hotspots.

The Leader highlighted the huge amount of work already taking place with the Communications Team and Public Health colleagues where significant volumes of information was targeted to different communities and those in particular who needed extra effort with such as community language.

Meetings have also been held with relevant stakeholders in different parts of the Borough. It was unfair to stretch Public Health time further and have an open-ended process of meetings. However, he would consider what had been said, but was unable to make a further commitment on Public Health's time at the moment.

Councillor Sansome echoed the Leader's sentiments and how it was hoped normal life would soon resume. Rotherham industries needed as much support as they could and he asked would the Leader agree with him that it was positive that the Shadow Business Secretary was visiting the Aldwarke site of British Steel with regards to the new green steel solidifying jobs, growth and profitability.

The Leader welcomed the interest in the local steel industry and the end of furlough would be enormous. The City Region had asked Government for funding, but an answer was yet to be received. However, he gave his assurance that with the serious challenges ahead Leaders would work closely with the City Region Mayor and it was hoped there would be more announcements over the next few weeks.

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Councillor B. Cutts wished to emphasise his recent experience of trying to obtain a COVID-19 test, but was told he needed an appointment. He could not understand why he could not be tested when there appeared to be no-one around and no queue.

The Leader pointed out that Councillor Cutts' experience was not uncommon and the inability to walk-in and get a test was due to the shortage of lab space secured by the Government.

The Government was not prepared for the number of people who were ill and people were losing out and lives were at risk. This was a national scandal and the Government needed to correct as quickly as possible.

Councillor John Turner further pointed out that in the open air people did not feel they needed any protection. He suggested, subject to the approval of those families affected by loss, that in order to get the message across about the devastating impact this virus was having on families, could some form of media coverage using photographs be used to raise awareness about the need to wear masks. People were being told that there were deaths, but it needed to be put into perspective and people identified to make it real and subsequently make people behave more rationally.

The Leader was aware this had happened in other places where the names of deceased were placed in newspapers, but this was an incredibly sensitive and difficult issue. It was not clear or how feasible it would be to do this.

### 388. MINUTES OF THE CABINET MEETING

**Resolved:-** That the reports, recommendations and minutes of the meetings of the Cabinet held on 20<sup>th</sup> July, 2020, be received.

Mover:- Councillor Read

Seconder:- Councillor Watson

### 389. RECOMMENDATION FROM CABINET - FINANCIAL OUTTURN 2019/20

Further to Minute No. 31 of the meeting of the Cabinet held on 20<sup>th</sup> July, 2020 consideration was given to the report which detailed how the final outturn position was a balanced budget which required £2.0m less use of corporate reserves than planned for. The original budget was supported by budget contingency reserves of £3.2m. Additional funding received in year, use of earmarked reserves and flexible use of capital receipts had resulted in a reduced call on the reserves of £1.2m leaving a balance of £2.0m to support the budget in later years.

The Council continued to face demand pressures, in particular in respect of Social Care. This coupled with the significant financial challenges the Council's response to Covid-19 would bring, as reported in detail to Cabinet in June 2020, meant the outlook was very challenging.

The Council's General Fund minimum balance had been increased to £20.700m as planned and set out within the Council's Reserves Strategy reported in the Budget and Council Tax Report 2020/21. The reserve was held to protect the Council against unforeseen events and realisation of contingent liabilities.

The Housing Revenue Account had an underspend of £2.9m, however, the revenue contribution to capital outlay was increased by £0.2m. Therefore, the net budgeted use of HRA reserves reduced by £2.7m.

The schools outturn position, funded by the ring-fenced Dedicated Schools Grant had an underspend of £1.968m.

The capital outturn showed slippage and underspend of £6.3m against the estimated spend for 2019/20 included within the Capital Programme.

Councillor Carter regarded this typically as overspending on the budget with huge overspends in Children's Services during 2019/20 before the COVID-19 pandemic. This administration was trying to claim the financial outturn was a success when it was just fudging figures in the budget and in the statement presented. It was clear the Council could not manage a budget, failed to meet its obligations year after year and used precious reserve funds. If it could not manage a budget last year what hope did it have in managing one in the middle of global pandemic. He was, therefore, unable to support the report.

Councillor Alam explained the Council had worked through difficult circumstances and simply could not predict numbers of children or adults who needed support and had to meet its obligations. It was disheartening when colleagues made political comments rather than working to move the town forward.

Councillor Cowles supported Councillor Carter's comments. Comparatively Barnsley was able to manage its budget and was underspent in areas of Adults and Children's Social Care. This just highlighted the failure of this organisation to stick to rigorous management processes and indicated a clear failure of management.

Councillor Alam reiterated that with the overspends in both adult and children's social care both Cabinet Members had worked tirelessly to deliver to vulnerable groups and this Council would not allow legacy issues to return or let vulnerable people down.

**Resolved:-** (1) That the updated financial position as detailed in the report be noted.

(2) That the updated Capital Programme as set out in paragraphs 2.58 to 2.66 and Appendices 1 to 4 of this report be approved.

Mover:- Councillor Alam

Seconder:- Councillor Read

**390. COMMUNITY GOVERNANCE REVIEW - RAVENFIELD PARISH COUNCIL - FINAL OUTCOME**

Further to Minute No. 362 of the meeting of the Council held on 22<sup>nd</sup> July, 2020, consideration was given to the report which provided a summary of the final consultation responses received in respect of the Community Governance Review being undertaken by the Council following the receipt of a petition from Ravenfield Parish Council. The report recommended a final outcome to the Review that there be no change to the current boundary arrangements.

Councillor B. Cutts could not understand why the matter had arisen when he had found both Parish Councils to be considerate previously.

Councillor Alam explained the review had been undertaken following the submitting of a petition requesting boundary changes.

**Resolved:-** That the final outcome of the Community Governance Review be that there be no change to the current arrangements in respect of the Parish boundary between Ravenfield and Bramley.

Mover:- Councillor Alam

Seconder:- Councillor Allen

**391. AUDIT COMMITTEE ANNUAL REPORT 2019/20**

Further to Minute No. 97 of the Audit Committee held on 18<sup>th</sup> August, 2020 consideration was given to the Audit Committee Annual Report for 2019-20 for Members' approval, having been endorsed by the Audit Committee.

The purpose of the Annual Report 2019/20 was to bring together in one document a summary of the work undertaken by the Audit Committee. The production of the report complied with current best practice for Audit Committees.

It allowed the Audit Committee to demonstrate it had fulfilled its terms of reference and shared its achievements with the Council and was thought useful as a reminder to the organisation of the role of the Committee in providing assurance about its governance, risk management and financial and business controls.

The Chartered Institute of Public Finance and Accountancy (CIPFA) had issued guidance to local authorities to help ensure that Audit Committees operated effectively. The guidance recommended that Audit Committees should report annually on how they have discharged their responsibilities.

**Resolved:-** That the Audit Committee Annual Report 2019/20 be approved.

Mover:- Councillor Wyatt

Seconder:- Councillor Walsh

**392. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS**

Further to Minute No. 55 of the meeting of the Cabinet held on 19<sup>th</sup> November, 2018, consideration was given to the annual Ward updates for Wath, Wales and Wickersley as part of the Thriving Neighbourhood Strategy.

The Strategy signalled a new way of working for the Council both for Members and for staff and covered every Ward in the Borough delivered through Ward Plans developed with residents to address local issues and opportunities. Ward Members would be supported by the neighbourhood team and would work with officers and residents from a range of organisations to respond to residents.

Councillors Atkin and J. Elliot, on behalf of the Wath Ward, gave an update on their Ward priorities for 2020/21 and welcomed the opportunity that the Thriving Neighbourhoods had given to Members and listed a number of initiatives that had taken place in the Ward, including:-

- Following receipt of a request from Hedgehog Rescue Hedgehog Warning Signs have been erected.
- Music in the Park to encourage community spirit and boosting moral during the lockdown.
- Laptops had been funded by the Ward budget for the Internet Access Project which enabled people accessing the foodbank to also access the internet and supporting them to access benefit support online.
- Match funding support had been provided for various improvements to the Wath Scout Hut and the purchase of new equipment for activities.
- Parking Buddies.
- Local Democracy Week.
- Support for Covid-19 food parcels which had enabled the purchase of equipment and food needed for the Montgomery Hall Covid19 Food Parcel Project. 400 households had been supported and 2,500 food parcels delivered.
- Residents' voices had been listened to for future improvements in Newhill Park. A family fun event was to have been held but had been delayed due to the pandemic.

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- Multi-agency and enforcement work had taken place on the White Bear Estate that had included a survey of all the bins on one road checking for missing/contaminated/broken bins and replaced where appropriate, warning letters issued for untidy gardens, work undertaken on overgrown grassed areas and porch door improvements as well as recycling education.
- Following the closure of the Oaks Day Centre, a social enterprise (Community Connect) to support local people with mild to moderate learning disabilities had been set up in Wath. They had transformed a disused piece of land owned by Wath Rugby Club next to Community Connect into a sensory garden.
- Match funding had been provided to enable the purchase of a floating jetty facility on Manvers Lake and 171 metal warning signs for installation at key entrances to the facility which would assist the Police in their enforcement work.
- The Kings Bowl Club had been severely damaged during the November 2019 floods. Working with contractor Mears, the Club had been provided with new kitchen cabinets, new electrical installation, electrical items and crockery as well as a section of fencing to protect the Club from any further incidents of anti-social behaviour.
- Places on a First Aid at Work course for community volunteers had been funded from the Wath Ward budget thus enabling the necessary first aid cover at community events.
- Residents involvement in nominating street signage under Street Signage Improvements.
- The Wath Ward budget had allowed new surfacing to be provided on the ramps to the Skate Park and improvements to existing equipment/provision of new equipment at Strathmore Park, Avenue Road and Biscay Way Play areas.

Councillors Beck and Watson, on behalf of the Wales Ward, gave an update on their Ward priorities and welcomed the opportunity to thank the Neighbourhood Working Group, staff and volunteers and listed a number of initiatives that had taken place in the Ward and as a result the community were benefiting from:-

- Pre-Covid, Councillors and partners had held a 2 day project of door knocking to speak to as many residents as possible about the new Ward Housing Hubs and how they could become involved. This was recommended as a way forward to engage with members of the public with the work of the Council.
- The "Friendly Bench" outside Kiveton Library the aim of which was to tackle loneliness, isolation and promoting community cohesion and togetherness.
- Provision of community skip in February.

- The fitting of a defibrillator onto the external wall of the Neighbourhood Centre on Viking Way. Start A Heart had donated the cabinet that housed the defibrillator. The Viking Way TARA Group had worked hard to raise funds so they could buy replacement pads and potential future repairs.
- Harthill/Thorpe Salvin Covid-19 Group had kept the vulnerable people of the neighbourhood fed and looked after. During the first 3 months of the pandemic the Group had delivered 375 food parcels to 88 households and 125 people.

Councillors Ellis, Hoddinott and Read, on behalf of the Wickersley Ward, gave an update on their Ward priorities, however, it was noted that the impact of the Covid-19 pandemic during the last six months had meant the inability to fulfil the two main stable activities of community skips and community speed watch. It was hoped the community skips would be able to begin again soon. The Members welcomed the opportunity to thank the Neighbourhood Working Group, staff and volunteers and listed a number of initiatives that had taken place in the Ward including:-

- Community speed watches undertaken by the Police due to speeding on Wickersley residential roads.
- Supporting residents through the Covid-19 pandemic by undertaking shopping, collecting prescriptions and keeping in touch with those who felt isolated.
- Sunnyside Supplies, a local food network starting during lockdown to assist with food parcels, had delivered 700 parcels. The Group would run until the end of October.
- A free book swap service.
- Afternoon tea delivered, together with John Healey MP, to those people who were isolated/elderly people.
- In recognition of the NHS workers and key workers, together with two local craft groups, a rainbow yarn bombing of Wickersley roundabout of ribbons and crocheted rainbows and pompoms made by children. They had since been taken down and displayed in the community centre. The ribbons had been washed and ironed by volunteers of Winthorp and made into individual thank you cards and distributed to all key workers in the area.
- The erection of a new speed sign on Brook Lane and extra road markings. Consultation was still ongoing with regard to the possible speed reduction.
- Four Billy and Belinda bollards funded and six bollards around Bramley Sunnyside Junior and Infant School.
- Flanderwell School had received a set of Parking buddies with messages chosen by the school pupils to try and encourage responsible parking in the area.
- Numerous roads put forward to the Council's Roads Programmes had been or were to be refused this financial year.

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- Rotherham's first Cumulative Impact Zone which covered the Wickersley area which formed part of stricter licensing rules across Rotherham for pubs, late night takeaways and other licenced premises.
- Silverwood Pit continued to be a source of complaints of noise and nuisance due to off-road bikes, quads and 4 x 4s using the site without permission. Numerous gaps in the perimeter fencing had been repaired by the Council..
- Several community skip days and street clean ups had been organised and would resume once it was safe to do so.
- Yorkshire Day bunting had been placed in areas where due to age and vulnerability people may not have got out as much as they would have liked to celebrate the day.
- The bus route in the area of Markhill Drive had been restored by First Travel and Powells .

**Resolved:-** That the Ward updates be received and the contents noted.

Mover:- Councillor Watson

Seconder:- Councillor Read

### 393. **AUDIT COMMITTEE**

**Resolved:-** That the reports, recommendations and minutes of the meeting of the Audit Committee be adopted.

Mover:- Councillor Wyatt

Seconder:- Councillor Walsh

### 394. **PLANNING BOARD**

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

Mover:- Councillor Sheppard

Seconder:- Councillor Williams

### 395. **LICENSING BOARD SUB-COMMITTEE AND LICENSING SUB-COMMITTEE**

**Resolved:-** That the reports, recommendations and minutes of the meeting of the Licensing Board Sub-Committee and Licensing Sub-Committee be adopted.

Mover:- Councillor Ellis

Seconder:- Councillor Beaumont

### 396. **MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS**

**Councillor R. Elliott** asked Councillor Taylor, the Council's Designated Spokesperson on the South Yorkshire Fire and Rescue Authority "Will you confirm that since the last Council meeting because of severe staff shortages the day shift has been kept on the road by Firefighters working overtime. How many times this did not work resulting in a pump being

taken off the run leaving just the one on days as well as nights and how much has all this cost.”

In response Councillor Taylor advised that the day staffed fire engine at Rotherham had been unavailable on three full shifts since the beginning of 2020, noting that this was generally due to staff taking summer leave, the staffing impact of the Covid-19 pandemic and other sickness issues. Councillor Taylor noted that there may be other occasions where it was unavailable for shorter durations, such as urgent short notice absences or mechanical repairs but on the whole, it was available on most days.

Councillor Taylor advised that as with every fire station in the County, the Service sometimes used pre-arranged overtime to staff certain shifts and that a budget for an amount of overtime was allocated each year. Councillor Taylor noted that although the Service was spending above its specific overtime budget this year, that its overall spend was within its total budget.

As a supplementary question Councillor R. Elliott asked that as the Fire Authority’s budget was showing a significant underspend for the first quarter of the financial year 2020/21, whether the Fire Authority should commit to put the second pump, with associated staff into place at Rotherham on a permanent basis.

Councillor Taylor advised that whilst the budget was currently underspent, it remained essential that the Authority exercised caution with regard to its budgetary position, and as such the Fire Authority was not in a position to make this commitment.

**397. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRPERSONS**

**(1) Councillor Jepson** asked the Leader following three Labour Councillors being removed from office for non-attendance at meetings, did the Leader think it fair that their Wards have now lost £1,483 from the Community Leadership Fund which could have been used to help sustain local organisations following the pandemic as well as losing other benefits that having three Ward Councillors would bring.

In response the Leader advised that as the Community Leadership Fund was allocated to individual Councillors as opposed to Wards, that this particular funding could not be utilised by other Councillors and noted that the situation had been communicated through to Councillor at Ward briefings. The Leader stated that it was regrettable that the Councillors referred to had been removed from office due to non-attendance at meetings and noted that all Wards should have a full complement of Councillors.

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As a supplementary question Councillor Jepson asked that as the Community Leadership Fund was able to be spent on both revenue and capital projects, whereas the Ward fund could not, had the remaining Councillors for the Wards that had lost Councillors made representations regarding the loss of available funding for their Wards.

The Leader stated that he was not aware of any specific representations from those Councillors had been made, but advised that this issue had been raised with the Deputy Leader who was the responsible Cabinet Member.

**(2) Councillor Carter** asked the Cabinet Member for Waste Roads and Community Safety given the challenges with Coronavirus continuing during the winter, how had the Council planned for winter pressures on essential Council services, specifically highway maintenance such as road gritting?

In response the Cabinet Member for Waste, Road and Community Safety noted her thanks to all frontline staff, including Highways staff for their work during the pandemic who had ensured that services had continued to be delivered and advised that contingency plans were in place to ensure that essential highway maintenance tasks could be delivered throughout the winter effectively and also in a Covid secure way.

As a supplementary question Councillor Carter asked how the potential impact of staff absences over the winter would be mitigated in order to ensure that services continued to be delivered.

The Cabinet Member advised that services across the Council had been planning in order to build resilience into their service delivery plans for winter and noted that drivers from other services would be deployed to grit roads if needed during the winter. The Cabinet Member noted, however, that sickness absence, even with the best planning, had the potential to impact on service delivery, but noted that experience developed during the pandemic so far in delivering services would be used in order to minimise any potential disruption to services.

**(3) Councillor Jepson** asked the Cabinet Member for Waste, Roads and Community Safety further to recent extensive utility works being carried out in his Ward which have led to numerous complaints, will the Cabinet Member for Waste, Roads and Community Safety ensure that these companies and their sub-contractors were taken to task and made to carry out the works according to current legislation, that the standard of the reinstatement works were acceptable and if not take any necessary enforcement action against them.

In response the Cabinet Member for Waste, Roads and Community Safety advised that the Council had powers that were derived from the New Roads and Street Works Act legislation in terms of dealing with utility companies to ensure they undertook works in a way that minimised

disruption and was compliant with the law. The Cabinet Member advised that since April 2020 the Council's Highway Inspectors had carried out 979 inspections of utility works, of which 15.6% were found to be defective and had been rectified following the Council's intervention.

The Cabinet Member assured the meeting that the Council was aware of Councillor Jepson's concerns regarding the recent Northern PowerGrid works in his Ward and advised that Northern PowerGrid had already returned to site to rectify some defective works following the Council's intervention. The Cabinet Member stated that where issues were reported the Council would always ensure that works were inspected and that any issues were resolved with inspections carried out in accordance with the New Roads and Street Works Act legislation.

Councillor Jepson thanked the Cabinet Member for the work that had been carried out to address his concerns. As a supplementary question Councillor Jepson asked what action could be taken to address the problem of the sub-contractors who did not follow correct procedures regarding street works.

The Cabinet Member advised that any problems regarding the work of sub-contractors should be reported so that incidents could be investigated.

**(4) Councillor Carter** asked the Cabinet Member for Waste, Roads and Community Safety compared to plans prior to the start of the coronavirus pandemic lockdown, was the Council on track to make its road resurfacing targets?

In response the Cabinet Member for Waste, Roads and Community Safety advised that plans were on track and that even if planned works were delayed due to the pandemic in 2020/21, that she was confident that the Council was on track to fully deliver the full four year resurfacing programme within the timescales allocated for the funding.

As a supplementary question, Councillor Carter asked that whilst plans were currently on track, what mitigation plans had been put in place to ensure that this remained the case with the potential of disruption caused adverse weather.

The Cabinet Member advised that delays caused by adverse weather were unavoidable and that any planned works impacted would be rescheduled to enable the overall programme to be completed on time.

**(5) Councillor Carter** asked the Cabinet Member for Waste, Roads and Community Safety "Has the Council identified any hot beverage retail outlets that posed a security/safety risk within the Borough? If so, could the Cabinet Member please list these?"

In response the Cabinet Member for Waste, Roads and Community Safety advised that all retail outlets had an obligation to operate in accordance with national legislation which meant that they should operate in a way that did not pose a security or safety risk to people within the Borough, and noted that the Council would use all its statutory powers to reduce or remove any risks that were presented by retail outlets that failed to operate as required by the law.

The Cabinet Member stated that no retail outlets in Rotherham had been identified as posing significant safety or security risks, with the only exceptions being any retail outlets that were either the subject of a current investigation, where formal action was yet to be taken, or that had been the subject of formal action and were now the involved in an appeal process. The Cabinet Member emphasised that in any of these situations it would not be appropriate to provide details of the retail outlet involved in a public meeting as this action could prejudice any ongoing investigation or court proceedings.

As a supplementary question Councillor Carter asked that with regard to the current situation surrounding the “Matki Chai” coffee shop in Eastwood, did she have full confidence in the Licensing Board to carry out its functions in a way that did not racially discriminate.

In response the Cabinet Member advised that she would never support any type of discriminatory behaviour, but that as the case referred to was currently going through the appeal process, stated that it would not be appropriate to comment further.

**(6) Councillor Carter** asked the Cabinet Member for Waste Roads and Community Safety when and how would residents be compensated for the loss of garden waste collections during March, April and May earlier this year?

In response the Cabinet Member for Waste, Roads and Community Safety noted that the Council, in common with many other councils, had suspended garden waste collections in the early days of the pandemic in order to ensure that reduced staff resources could be focussed on the delivery of general household and recycling collections. Garden waste collections had recommenced as soon as had been possible.

The Cabinet Member advised that whilst the terms and conditions of the Garden Waste Collection Service stated that the Council was not required to make a refund if services were interrupted, compensation for the six week suspension of the Garden Waste Collection Service would be offered. The Cabinet Member noted that residents that subscribed to the 2020/21 collection service would be able to either choose to receive a discount against the total cost of re-subscribing to the Garden Waste Collection Service in 2021/22 or receive cash refund to the equivalent value. The Cabinet Member advised that further details of how residents

would be able to claim this compensation would be circulated to subscribers before the end of the year.

As a supplementary question Councillor Carter asked that while it was good to hear that compensation would be made, would an update be sent to residents to advise of the situation.

The Cabinet Member noted that subscribers had been advised compensation would be offered, but that it would not be helpful to announce a procedure for refunds that subsequently had to be changed in response to changing circumstances surrounding the pandemic.

**(7) Councillor Carter** asked the Cabinet Member for Waste, Roads and Community Safety what incentives did the Council provide to commercial organisations to recycle who contracted their waste collection to the Council?

In response the Cabinet Member for Waste, Roads and Community Safety advised that currently the Council did not offer any incentives to commercial organisations to recycle and reduce the amount of general waste. The Cabinet Member advised that the focus of the Council had been on providing the best domestic refuse and recycling service that was possible but noted that there were plans to develop a better commercial waste offer. The Cabinet Member advised that due to the difficulties created by the pandemic that it was currently difficult to develop new services but assured Councillor Carter that the Council was keen to develop an improved commercial waste service.

As a supplementary question Councillor Carter asked whether the Cabinet Member thought it was acceptable that six months after the Council had declared a Climate Emergency that a plan to develop an improved commercial waste offer was not yet in place.

The Cabinet Member stated that the teams responsible for the delivery of waste and recycling services had worked exceptionally hard during the unprecedented demands created by the pandemic to ensure core services had continued to be delivered to residents and reaffirmed the Council's commitment to develop and enhanced commercial service.

**(8) Councillor Carter** asked the Cabinet Member for Waste, Roads and Community Safety so far this year how was the Council's recycling rate compared to previous years?

In response the Cabinet Member for Waste, Roads and Community Safety stated that the Council's recycling rate to date was 43.8%, compared to 47.1% for the same point in 2019. The Cabinet Member advised that the reduction in the recycling rate was a nationwide trend and was a direct result of restrictions imposed due to the pandemic. The Cabinet Member advised that the reduction in the rate in recycling had been impacted in particular by an increase in general waste created by

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more people being at home offsetting the increase in recyclables that had been collected, the suspension of garden waste collections that normally made a significant impact on the recycling rate and the closure of the Household Waste Recycling Centres for a time at the start of the pandemic.

As a supplementary question Councillor Carter asked that as people's lifestyles were changing in response to the pandemic, would the Council be looking at ways to ensure that recycling was maximised across the Borough.

The Cabinet Member advised that ways to improve the recycling service were always being looked at, noting that residents could now use the kerb side collections to recycle Tetrapaks and that residents could request an additional recycling bin free of charge in order to help them to recycle more.

**(9) Councillor B. Cutts** asked the Cabinet Member for Jobs and the Local Economy as owner and landlord of the Guest and Chrimes site, what safeguard/conditions did Rotherham MBC put into the tenant agreement to protect the listed office block?

In response the Cabinet Member for Jobs and the Local Economy stated that there were no specific safeguards or conditions put in the lease agreement to protect the listed elements of the Guest and Chrimes buildings, but noted that the appropriate planning processes that would consider the site's listed status would followed with regards to any future development of the site.

As a supplementary question Councillor B. Cutts asked what action the Council was taking to protect the built heritage across the Borough at a time when listed buildings were being lost, and others were in poor repair.

The Cabinet Member advised of the many investments and activities that were being carried out in the Town Centre and across the Borough to improve the built environment.

**(10) Councillor Carter** asked the Cabinet Member for Waste, Roads and Community Safety in recent months have the levels of fly tipping continued to rise following the easing of lockdown compared to previous years?

In response the Cabinet Member for Waste, Roads and Community Safety advised that whilst the number of fly tipping jobs the Council had dealt with in the early stages of the lockdown period initially fell, the Council dealt with 1,751 fly tipping jobs in the period from April to June which was a 28% increase compared to the same period in 2019. The Cabinet Member advised further that since the easing of restrictions in June, the number of fly tipping cases had fallen with the Council dealing

with 1,510 fly tipping incidents in the period from July to September, which was a reduction of 14%.

As a supplementary question Councillor Carter asked for clarification on whether the 14% reduction was from the previous quarter or from the same period in 2019.

The Cabinet Member confirmed it was a 14% reduction in incidents from the previous quarter.

**(11) Councillor Carter** asked the Cabinet Member for Jobs and the Local Economy how much money had the City Region been allocated from the Transforming Cities Funding?

In response the Cabinet Member for Jobs and the Local Economy advised that the Transforming Cities Funding had granted £166m to the Sheffield City Region for expenditure on public transport and active travel infrastructure schemes up to 2023, with £29.3m having been identified for improvements in Rotherham.

As a supplementary question Councillor Carter asked for information on how the Sheffield City Region compared to other areas that had made bids to the Transforming Cities Funding.

The Cabinet Member advised that while it did appear that the Sheffield City Region often received less funding than other areas, that the £29.3m that had been allocated for improvements in Rotherham was still a significant figure.

**(12) Councillor Cowles** asked the Cabinet Member for Jobs and the Local Economy this week in the media and financial press there was concern over cinema companies e.g. Cineworld. If the new Bond film was not a major success a couple of major companies may fail. If this happened how might/would this affect the Forge Island development?

In response the Cabinet Member for Jobs and the Local Economy advised that a Cinema was a key part of the Forge Island scheme and negotiations were at a very advanced stage with a cinema operator. The Cabinet Member noted that the negotiations had continued to progress against the background of the pandemic and the difficult trading conditions cinema operators had been experiencing. The Cabinet Member noted that while the negotiations had presented challenges that it was very positive that that the cinema operator had been negotiating with an awareness of the impact of the pandemic on the market, and that such considerations had been factored in its business planning.

As a supplementary question Councillor Cowles asked that as major cinema companies were struggling in the current market conditions, what would be the impact on the Forge Island development if the cinema did not end up being built and whether the Council had a “plan B” for the site if this were to occur.

The Cabinet Member advised that due to the commercially sensitive nature of discussions she was unable to share further details, but assured Councillor Cowles that she was keeping a very close eye on the negotiations and that she was confident that the deal was on track.

**(13) Councillor Carter** asked the Cabinet Member for Waste, Roads and Community Safety following last year’s floods in the Borough what changes have the Council made to the cleaning of drains and gullies to mitigate the impact of unprecedented rainfall to avoid flooding disruption?

In response the Cabinet Member for Waste, Roads and Community Safety advised that the Council maintained road gullies in accordance with its Annual Gully Cleansing Schedule for cleaning and repair operations and that the Schedule was based on Construction Industry Research and Information Association recommended requirements for gully cleaning operations. The Cabinet Member noted that as part of the inspection schedule, defects were identified, and a programme of works carried out each year to repair damaged gullies and drains. The Cabinet Member stated that the Annual Gully Schedule also identified road gullies that were in areas that were sensitive to heavy rain and that could be vulnerable to surface ponding. When reports of potential heavy rainfall in these locations were received the gullies were inspected in advance.

The Cabinet Member advised that the flooding that had occurred over the Winter of 2019/20 had been caused by an exceptional rainfall event, and as such was not generally caused as a result of any deficiencies within the highway drainage system or the condition of road gullies, with flooding occurring due to river and watercourses overtopping.

As a supplementary question Councillor Carter asked whether the Council was doing enough to tackle flooding by increasing drainage capacity in effected areas.

The Cabinet Member noted that gully cleaning flood defences were separate issues but advised that if Councillor Carter had an particular areas on concern on this issue that he should contact her so that they could be fully investigated.

**(14) Councillor Cowles** asked the Cabinet Member for Housing over 1.5m people owning modern flats face ten years of uncertainty to prove they were safe. The banks would not lend, owners could not sell. External features described as rubbish building work was to blame. Balconies, wall structures, spaces between floors and insulation. We have modern flats

and building many more. He asked the Cabinet Member was he sure this was not happening here?

In response the Cabinet Member for Housing stated that he did not believe there were any problems, as detailed by Councillor Cowles. With regard to Council housing in the Borough, the Council had gone over and above statutory requirements regarding fire safety to ensure that residents remained safe in their homes.

The Cabinet Member advised that in Rotherham there was only one high rise block of flats, which was the Council-owned Beeverleigh block in the Town Centre. The Cabinet Member noted that building was predominantly constructed of brick and concrete and that it had passed stringent fire risk assessments, with the Council having invested more than £1.5m on refurbishment over the past four years including the installation of a fire sprinkler system. The Cabinet Member noted that twice-yearly checks were also undertaken on fire alarms along with dry riser servicing, sprinkler systems and bin chute servicing in addition to regular communal area checks.

As supplementary question Councillor Cowles asked about wider safety measures as his initial question had not just been regarding high rise blocks.

The Cabinet Member detailed the additional safety measures that had been applied across all Council-owned flats and again stated that with regard to Council housing in the Borough, that the Council had gone over and above statutory requirements regarding fire safety to ensure that residents remained safe in their homes.

**(15) Councillor Carter** asked the Cabinet Member for Corporate Services and Finance at the start of the Covid-19 crisis the Government allocated Councils funding for Business Support Grant. How much was allocated to Rotherham Council to distribute, how many businesses were allocated the funding and was there any unallocated money following the 28th August application deadline?"

In response the Cabinet Member for Corporate Services and Finance advised that the Government had provided £49.580m of Business Support Grants to assist the Council in administering the Small Business Grant Fund, the Retail, Hospitality and Leisure Grant Fund and the Discretionary Business Grant. The Cabinet Member noted that the allocation had made by the Government based on an estimated requirement, and not using any local knowledge, with the eligibility criteria for support also being set by the Government. The Cabinet Member noted that Council promoted the schemes widely via social media, press releases, the Business Chamber, direct contact (calls, emails and letters) and the Council's website, with extra promotion of the schemes in the weeks leading up their closure.

The Cabinet Member advised that 3,934 businesses had successfully applied and that £44.440m had been paid out to businesses of all sizes across the Borough. The Cabinet Member advised that the £5.140m of grant received by the Council that had not been used would be returned to the Government. The Cabinet Member stated that the Government had also provided £2.479m for a discretionary scheme that had been used to support 274 businesses and noted that all of this money had been allocated to businesses.

As a supplementary question Councillor Carter noted that all of the money received should have been used to support businesses and asked why all the funding received had not been spent.

The Cabinet Member advised that all money allocated to businesses had been allocated correctly, and in line with the Government's rules for how the money was to be used. While it would have been desirable to use all of the available funding in the Borough, it would not have been responsible to allocate funding to businesses that did not meet the required criteria.

**(16) Councillor Cowles** asked the Cabinet Member for Waste, Roads and Community Safety of the 35 PSPO breaches issued in Eastwood in the past year how many have been for noise ASB related offenses?

In response the Cabinet Member for Waste, Roads and Community Safety advised that the Council took noise nuisance very seriously and had recently made a decision to invest in additional resources to ensure that there was a more effective Out of Hours Service to deal with noise and anti-social behaviour. The Cabinet Member advised that over the course of the pandemic the Council had had a seven day service in place to support residents in terms of this work, and that this approach would continue in the future.

As a supplementary question Councillor Cowles noted the additional cameras that had been installed in the area and asked whether it was the case that these could only be used regarding fly tipping offences.

The Cabinet Member noted the improving situation regarding fly tipping and noise complaints in Eastwood and the contribution that Ward Members had played in this in working with their community. The Cabinet Member also noted the significant increase of Fixed Penalty Notices that had been issued compared to the same time in 2019. The Cabinet Member advised that she did not know the exact rules surrounding what the cameras could and could not be used for an advised Councillor Cowles that she would look into this further this and get the information to him.

**398. URGENT ITEMS**

There were no urgent items for consideration.