

**THE CABINET  
25th January, 2021**

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)

**97.           DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

(1)     Mr .Thirlwall referred to the numerous questions he had asked at Council and Cabinet over the last year regarding registration of interests and, in particular, Councillor Cutts. He had received a letter from the Chair of the Standards and Ethics Committee and from a legal officer at Rotherham Metropolitan Borough Council (RMBC) explaining why the recording of registration of interests in the case of Councillor Cutts had been delayed. Mr. Thirlwall was not satisfied with this explanation and asked the Leader to facilitate a meeting between the two of them, the Chair of the Standards and Ethics Committee, the Chief Executive, the legal officer and the Head of Democratic Services. Mr. Thirlwall also asked the Leader to confirm if a Cabinet Member had been deemed not fit for purpose.

Responding to the latter point first, the Leader explained that he did not know what that related to but that all Cabinet Members had his full support. Regarding the registration of interest point, the Leader explained that it was a matter for the Standards and Ethics Committee and their legal advisors and it would not be appropriate for him as Leader to interfere. He did, however, confirm that he would speak to the Chair regarding the possibility of a meeting and appropriate attendees at the meeting.

In his follow up question, Mr. Thirlwall explained that he did not believe the matter to be a Standards issue but a process issue with either Democratic Services, Legal Services or the Monitoring Officer. He queried whether Councillors were able to update registration of interests on behalf of other Councillors and the process for the registration of the Rotherham Democratic Party group. Mr. Thirlwall stated that if the registration process was flawed then the Party did not exist, and Councillor Cowles should not be receiving an allowance as Leader of that Party.

In response, the Leader confirmed that the matter regarding Councillor Cowles had been dealt with in previous questions and did not relate to the registration of interest query. Mr. Thirlwall had received all of the information available on the matter and there was no other information available. The Leader confirmed he would write to Mr. Thirlwall once he had spoken to the Chair of the Standards and Ethics Committee regarding the proposed meeting.

**99. MINUTES OF THE PREVIOUS MEETING**

It was noted that the word "Hearing" in the third paragraph of Minute 92 of 21st December, 2020, Cabinet Minutes should be "Heating."

**Resolved:-** That the Minutes of the Cabinet meeting held on 10th December, 2020, and the Minutes of the Cabinet meeting held on 21st December, 2020, including the above correction, be approved as a true and correct record of the proceedings.

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

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

**101. COVID-19 UPDATE**

Consideration was given to the report which provided an update on how the Council was responding to the COVID-19 global pandemic. Proposals were outlined which sought to introduce a Self-Isolation Support Payment Scheme. Attached to the report at Appendix 1 was a timeline of key COVID-19 announcements. The Leader introduced the report and gave details on the proposed Local Self-Isolation Support Payment.

The Local Self-Isolation Support Payment would broadly follow the same principles of the Government's Self-Isolation Support Payment Scheme but would not be based on financial hardship. The criteria for the payment was as follows:

- Have been told to stay at home and self-isolate by NHS Test and Trace, either because they have tested positive for Coronavirus or have recently been in close contact with someone who has tested positive. They should have a unique NHS Test and Trace ID number that they have to provide for the application process.
- Started a period of self-isolation on or after the 25th January, 2021.
- Have not been able to access the Government's Self-Isolation Support payments or discretionary payments.
- Are employed or self-employed; and
- Are unable to work from home and will lose income as a result.

The payments were for £250 and were to be funded from the Contain Outbreak Management Fund, with a maximum allocation of £100k to potentially fund 400 applications.

The Chief Executive provided an update on the COVID-19 situation in Rotherham. Since the last update a new national lockdown had come into effect. The infection rate number for Rotherham was stable but still high. The Council continued to support the most vulnerable and the Community Hub had been operational throughout the pandemic to enable this. Five vaccination sites were operational across the Borough and Primary Care Networks were responding well to the demand.

The Strategic Director Finance and Customer Service provided an update on the funding provided from Government. The funding had been increased for the Test and Trace Support Fund from £136k to £327k, however, based on applications received, £279k of that had already been granted. That left £48k which would pay another 96 claims. The Discretionary Fund had increased to £120k but £86.5k had already been spent, leaving £33.5k which would fund another 67 claims. Officers were clear that funding from the Government would run out quickly which emphasised the need for the additional Local Self-Isolation Support Payment.

The report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board was fully supportive of the recommendations. Cabinet Members also expressed their support for the additional support payment and urged residents to continue following the rules.

**Resolved:-**

1. That the proposed Local Self-Isolation Support Payment be approved with an initial budget of up to £100k if demand requires it; funded from the Contain Outbreak Management Fund.
2. That the discretionary Self-Isolation Support Payment Fund be topped up by up to £100k if demand requires it; funded from the Contain Outbreak Management Fund.
3. That authority be delegated to the Strategic Director of Finance and Customer Services to adjust the allocations provided to the discretionary scheme and the Local Self-Isolation Support Payment Scheme, between the schemes, as demand requires.
4. That Cabinet note the ongoing impacts of COVID-19, including local outbreaks.
5. That Cabinet note the arrangements in place to respond to COVID-19.

**102. NOVEMBER FINANCIAL MONITORING**

Consideration was given to the report which set out the financial position of the Council as at the end of November 2020 and was based on actual costs and income for the first 8 months of 2020/21 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 essential to achievement of the objectives within the Council's Policy Agenda. As such, this was the fourth financial monitoring report of a series of reports for the current financial year which would continue to be brought forward to Cabinet on a regular basis.

As at November 2020, the Council had a forecast year-end overspend of £23.6m on the General Fund which was mitigated in part by the Government's provision of COVID-19 Emergency Support Grant and Sales, Fees and Charges Income Compensation, providing a net forecast outturn of £0.9m overspend. There would be one further period for a grant claim in relation to COVID-19 income lost compensation later in the year and it was anticipated that this further grant would cover the remaining £0.9m forecast overspend. As such, the Council expected to deliver a broadly balanced budget outturn.

Cabinet Members welcomed the monitoring report. 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 current General Fund Revenue Budget forecast of £0.9m overspend be noted.
2. That it be noted that actions will continue to be taken to mitigate the forecast overspend and that a balanced financial outturn is envisaged.
3. That the Capital Programme update be noted.

**103. QUARTERLY HOUSING DEVELOPMENT UPDATE**

Consideration was given to the report which provided an update on the progress of the Housing Development Programme which had been agreed by Cabinet in September 2020. The Programme listed a range of Housing Revenue Account (HRA) sites to be developed for housing and potential strategic acquisitions. Since the September report, further external funding opportunities had arisen which would enable bids to be submitted and agreements to be entered into with the Sheffield City Region, to draw down grant resources.

The report set out the progress on each of the recommendations approved by Cabinet in September 2020 along with new issues and next steps. Paragraph 1.8 of the report detailed other highlights since the September report which included:

- Completion of the Site Clusters Programme (217 homes in Canklow, Maltby, Dinnington and East Herringthorpe)
- Completion of The Bellows in Rawmarsh (58 homes)
- Demolition of Millfold House and excellent progress with other housing sites in Rotherham Town Centre
- Contracts entered into and works commenced on Chesterhill Avenue and Whinney Hill (Dalton and Thrybergh) for the construction of 237 new homes
- Approval of the 2021-22 HRA Business Plan on 21st December 2020 which identifies circa £114m of investment to support future housing growth.

It was purposed that 2 sites, Netherfield Court and York Road car park, be transferred from the General Fund Asset Register to the HRA so that HRA resources could be expended on site preparation works and for match funding. Work was also being undertaken on Town Centre developments where the majority of properties would be available for affordable rent.

The Cabinet Member for Housing confirmed that a seminar would be held for Ward Members alongside Member consultation in February on potential sites. Residents would be consulted via the Planning process, but the Strategic Housing and Development Service had also worked with the Neighbourhood Service to assist with disseminating information about development in localities, identifying alignment with Ward priorities.

The Cabinet Member for Jobs and Local Economy thanked officers across Housing and Regeneration for working together to bring these developments forward.

**Resolved:-**

1. That progress made with the 2020/21 housing development programme be noted.
2. That authority be delegated to the Assistant Director of Housing, in consultation with the Cabinet Member for Housing and the Section 151 Officer, to enter into a Brownfield Housing Fund agreement with the Sheffield City Region where this will serve to increase the number of new homes delivered in Rotherham.
3. That the appropriation of Netherfield Court and York Road car park (both in Eastwood) from the General Fund to the HRA, be approved.

4. That a change to 6 monthly rather than quarterly update reports, be approved.

#### **104. COMMUNITY ENERGY SWITCHING SCHEME**

Consideration was given to the report which recommended moving forward with an alternative internally delivered Community Energy Switching Scheme as no compliant bids had been received following the completion of the tender on 4th November, 2020. The Scheme, if approved, would be implemented to launch in March 2021 and would be open to all Rotherham residents with the aim to reduce the number of households paying high tariffs for gas and electricity and reduce fuel poverty.

The development of a Community Energy Switching Scheme was first approved by Cabinet on 17th December, 2018. Following an Official Journal of the European Union (OJEU) procurement process to identify a potential partner in 2019, Robin Hood Energy was the successful bidder and awarded the contract. However, in December 2019, they could not agree to the specification under the terms of the procurement process and so the contract could not be awarded. Robin Hood Energy have since stopped trading.

On 20th July 2020, following changes to the specification and terms and conditions, Cabinet approved an OJEU procurement process to identify a potential partner to develop a Community Energy Switching Scheme. The tender was launched on 4th September, 2020, and bids had to be submitted by 9th October, 2020. Only one bid was received from a company that did not provide the service required and did not have the supply license necessary. The bid was evaluated and deemed to be a non-compliant bid.

The Cabinet Member explained that local workshops and support groups would be set up once the current Covid restrictions were removed to assist residents with the Scheme. The Scheme would focus on supporting residents to:

- Identify a reduced utility tariff and change to a new supplier using OFGEM accredited comparison websites.
- Promote energy efficiency for Rotherham residents and provide support to access available grants to reduce energy consumption such as the Government Green Homes Grant voucher scheme.

The report had been considered by the Overview and Scrutiny Management Board (OSMB) as part of the pre-decision scrutiny process. The Board were fully supportive of the recommendations but suggested the name of the scheme be reviewed in order to ensure it was accessible to residents. OSMB also requested information on the number of residents in receipt of the district heating scheme.

**Resolved:**

1. That an internally delivered Community Energy Switching Scheme is implemented to launch in March 2021.
2. That the name of the Scheme be reviewed in order to ensure that it is both accessible to residents and clearly matches the objectives of the scheme.
3. That information on the number of residents in receipt of the district heating scheme be circulated to members of the Overview and Scrutiny Management Board.

**105. BT PROPOSALS TO PERMANENTLY REMOVE THE PUBLIC PHONE BOX AT BOSTON CASTLE GROVE, MOORGATE AND 42 PHONE BOXES ACROSS THE BOROUGH**

Consideration was given to the report which detailed the final decisions made by BT in relation to the removal of 42 payphones across the Borough and the removal of the telephony service from the phone box on Moorgate Road, at the junction with Boston Castle Grove, Rotherham. The proposals were considered having regard to the guidance published by Ofcom and also assessed against the Council's locally derived criteria which were outlined in paragraph 2.1 of the report. The final decisions were shown in Appendix 5 to the report.

BT had notified the Council of their proposal to remove the phone boxes on 29th June, 2020. The consultation had been extended by 90 days to 30th October, 2020.

The decision had been made to remove 16 phone boxes and the local veto was applied to the remaining phones in the consultation. Under the local veto, BT must continue to maintain those public phone boxes and call equipment. It was decided that the telephony equipment would be removed from the phone box on Moorgate Road. This would allow the Start-a-Heart 24:7 charity to apply to BT under the "Adopt a Kiosk" scheme. Start-a-Heart intended to install a defibrillator in the kiosk that would be available to the public 24 hours a day.

Both decisions were made in line with Ofcom requirements, and BT and the Secretary of State had been informed.

**Resolved:-**

1. That Cabinet notes the final decisions made on the 42 payphones proposed for closure by BT as shown in Appendix 5.
2. That Cabinet notes the final decision consenting to the closure of the telephony service at the payphone on Moorgate Road, at the junction with Boston Castle Grove, Rotherham S60 2BQ.

**106. MODERN SLAVERY TRANSPARENCY STATEMENT - ANNUAL REFRESH**

Consideration was given to the report which provided an update in relation to the activity of the Council and its partners in seeking to both address and prevent modern slavery. The Council had passed a resolution to adopt the Co-operative Party Charter against Modern Slavery on 25th July, 2018, and there had been subsequent reports to Cabinet in October 2018 and June 2019. The report also introduced a refreshed transparency statement for 2021.

Appendix 2 to the report showed that the Council had achieved full compliance in a number of areas with other requirements remaining on track. Procurement staff had been trained and advice and guidance had been developed for contract and commissioning officers.

Between 1st April 2019 and 30th September 2020 there had been 28 referrals from Rotherham into the National Referral Mechanism. The Council were working with South Yorkshire Modern Slavery Partnership to develop its reporting and recording processes. The Cabinet Member explained that it was positive that 28 referrals had been identified as it showed the procedures that were in place were working effectively. Work was being undertaken to further implement the Charter with particular focus on the right of contracted workers to join a Trade Union.

**Resolved:-**

1. Cabinet note the progress against commitments made.
2. Cabinet approve the refreshed transparency statement for publication.

**107. DOMESTIC ABUSE SERVICES**

Consideration was given to the report which sought approval to enter into a market engagement process, followed by a competitive procurement process, for domestic abuse support services. Domestic Abuse remained a key priority for the Council and its partners through the Safer Rotherham Partnership (SRP.) The current service contract would end on 30th September, 2021.

The new system would establish a new delivery model for victims of Domestic Abuse and would offer a seamless service for victims, increased focus on prevention and early intervention alongside improving access to information and support. It would be supported by additional funding for Domestic Abuse support of £150k per year, bringing the total commissioning value to £660k per annum. The new system would combine 2 existing support service contracts and allow the Council to be more flexible to meet the needs of all communities, including ethnic minorities, refugees, same sex relationships and transgender.

The refuge provision was to be recommissioned immediately which would maintain current provision as a minimum. The Cabinet Member explained that the refuge had been retained despite budget cuts.

There was currently a Bill in Parliament that sought to address Domestic Abuse issues, and this would be monitored and implemented if passed into law.

The report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board was fully supportive of the recommendations and requested that the Council be able to review outcomes and the methods of delivery of the contract throughout its lifetime to ensure it remained fit for purpose. The Board also requested that the results of the pre-market engagement exercise, due to be completed by the end of May 2021, be circulated to Members of the Improving Lives Select Commission. The Commission also wanted the opportunity to feed into the development of the outcome-based service specification for Domestic Abuse support services.

**Resolved:-**

1. That the 2 Domestic Abuse Support Services be combined into a single contract and subject to a competitive procurement process to establish a new delivery model, for an initial contract period of 3 years with an option to extend by a further 2 years (total 5 years).
2. That the Refuge Service will be commissioned in the immediacy, for a 2 year period, with an option to extend by a further 1 year period (total 3 years) as a single contract maintaining current provision as a minimum and with an outcome focussed specification, which is focussed on meeting the needs of victims and survivors of Domestic Abuse and ensures a female-only refuge space.
3. That an outcome-based specification is co-produced for Domestic Abuse Support services in line with the key issues detailed in section 2, ensuring appropriate engagement with the Cabinet Member and the Council's Improving Lives Select Commission.

4. That authority is delegated to the Strategic Director of Adult Care, Housing and Public Health and Strategic Director for Regeneration and Environment to enter into the contract with the successful organisation following the procurement process.
5. That the Independent Domestic Violence Advocates staff employed by the Council are proposed to be retained in the employment of the Council and the Service will be integrated with Commissioned Services, providing seamless support for victims.
6. That Cabinet support the objective to recommission the Services by March 2022 and further support the seeking of an extension of the Support Service contracts to continue the current service delivery up to September 2022 at the latest to enable effective mobilisation.
7. That the contracts made with providers for Domestic Abuse Support Services should enable the Council to review outcomes and the methods of delivery at key intervals throughout the lifetime of the contracts in order to ensure that the Services provided remained fit for purpose.
8. That the results of the pre-market engagement exercise, due to be completed by end May 2021, be circulated to Members of the Improving Lives Select Commission.
9. That the Members of the Improving Lives Select Commission have the opportunity to feed into the development of the outcome-based service specification for Domestic Abuse Support Services.

**108. 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.

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

**Resolved:-**

That the next virtual meeting of the Cabinet be held on Monday, 15th February, 2021, at 10.00 a.m.