

**THE CABINET  
Monday 17 October 2022**

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

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

Apologies for absence were received from Councillors .

**50. DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

(1) Mr. Dickson explained that he was the Chair of the Dinnington Community Land Trust and that Dinnington had been the first area in the Borough to develop a Neighbourhood Plan. The Plan had been agreed by referendum and incorporated in Rotherham's Local Development Plan. The main thrust of the Neighbourhood Plan was focussed on the health and wellbeing of the community, and it identified interventions that were necessary to reverse the downwards trend in that particular area. The Land Trust was a community interest company that was formed 2 years ago to ensure the Neighbourhood Plan was delivered in a timely manner. The data and analysis from the Trust had been provided to the Health and Wellbeing Board and the Head of Public Health to update the Strategy that was currently being refreshed. There had been several productive meetings to that effect. What Cabinet may not have been aware of was the progress that was being made in relation to social and affordable housing and sports and community facilities for the local community as an enabler to the health and wellbeing improvement sorely needed in Dinnington. Locally owned land was being utilised alongside the development of alliances with local sports groups to develop those facilities.

In his question to Councillor Roche, Mr. Dickson asked if he agreed that the work of the community in Dinnington to create affordable houses plus the creation of local sports and community facilities for its residents was a proactive way for the local community to try and improve its own health and wellbeing?

Councillor Roche stated that he had met with Mr. Dickson and the Director of Public Health several times. The best way forward was to continue those discussions and Councillor Roche confirmed that the Trust would be invited to the Health and Wellbeing Board to look at the information in more detail. Councillor Roche fully agreed that housing conditions were a key factor in Public Health as evidenced by cholera

in the Victorian times. Housing was a key factor in peoples' mental and physical health and as such, it was an aim of the Health and Wellbeing Board to work with the Housing Directorate to make sure houses were fit for purpose. In terms of health inequalities, Councillor Roche confirmed that this, alongside promoting physical activity, was one of the key aims of the Health and Wellbeing Board. Councillor Roche stated that he supported the Trust with their activities in that area but could not comment on specific schemes unless they were brought directly to him.

The Director of Public Health stated that housing and physical activity were all key parts of determinants of health. The Public Health Team were currently working with communities to support and build opportunities within those communities, so they were very supportive of the work being done in Dinnington. He was, therefore, keen to keep those conversations going and hear about the work being done by the Trust.

In his supplementary, Mr. Dickson asked all Cabinet Members if they agreed that every Directorate should be asked to support, wherever practicable, the initiative of Dinnington in their efforts to improve the health and wellbeing of the residents?

The Leader responded on behalf of Cabinet and stated that wherever it was possible and practicable to do so, the Council would aim to offer its support as suggested by Mr. Dickson.

- (2) Councillor Ball stated that he had a question about the fires at Kiveton. He had written to the Chief Executive, the Assistant Director of Community Safety and Street Scene and had copied the Leader in. The email was an open invitation to the Cabinet Members to go and visit Kiveton fire site. This had come directly from the Chief of the Fire Service. Councillor Ball stated that "we" had to get in there due to the fire being in its current state for 6 months. The Council could supply some plant which would help the health of the residents of Kiveton and the surrounding area because of the smoke. It needed a concerted effort between the Environment Agency, the Council and the Fire Service along with anyone else. Could this be done?

The Leader explained that he had visited the Kiveton area, not the site, very recently and had experienced the acrid smell that residents were having to put up with for a prolonged period of time. The Council wanted to do everything it could along with its partners in order to tackle that.

The Chief Executive explained that the Local Resilience Forum, which was chaired by the Council and attended by the Environment Agency and Fire Service, were working on the matter. The Fire Service was on site and had primacy to control the fire. The Environment Agency had primacy over the site in terms of working with the Fire Service and

looking at the activity that was needed to bring the fire under control and to prevent it from happening again. The Council was in constant contact with the Environment Agency and Fire Service to both support and appropriately challenge. A further meeting was scheduled for the week of Cabinet to discuss the further actions that were taking place. The Environment Agency was looking at what further actions in terms of plant and equipment were needed.

Councillor Beck explained that progress had been made this far, with the measures that were in place and being undertaken by the Fire Service and Environmental Agency because of the Council's intervention. The fire, in its current form, had been smouldering for about 6 weeks and before that as well in a separate event. If it was not for those Local Resilience Forums meetings which the Council had chaired and got the relevant people around the table for, there would not be the actions that were currently being undertaken by the Environment Agency. It must be remembered that it was the Environment Agency who had the statutory responsibility to take the principal lead in resolving the massive issue that was ongoing down there. The Council would use their powers as much as possible to ensure that the fire was put out as soon as possible because of the implications on public health for the people in Kiveton and surrounding areas. Once the fire was out, which hopefully would be as soon as possible, there needed to be a long-term solution from the Environment Agency to get rid of the waste. The waste was historic, and the Council would work with the Environment Agency to ensure they acted upon their statutory duties in this regard.

In his supplementary, Councillor Ball explained the scale of the fire and stated that there were 200,000 tonnes of rubbish that needed moving. The problem was that the Environment Agency had put plant in there, but it was not enough. The Council needed to help the residents now by supplying plant. There was no space on site to move the rubbish, douse it and dispose of it. The current process of taking out small bits to try and break the fire was not working. This was about the health of the residents of Kiveton, and the surrounding areas and it needed an intervention now. There was also concern potential strike action that could exacerbate the issue. Councillor Ball asked for Cabinet Members to have a site visit to see what could be done to help for the health of the residents.

The Leader stated that he understood the point been made and would take it away to assess what further work could be done by the Council and its partners.

- (3) Councillor Ball stated that some years ago there was a working party related to modular housing. Was there an update on this? Was it still active? Was the Council still looking at it?

Councillor Brookes explained that the working party on modular

housing had not continued. A lot of information on modular housing had been requested during the development of the Housing Strategy and this information gave an unclear picture on the cost/benefit analysis of modular homes to achieve the type of eco-efficiencies that were wanted. It was currently thought that design interventions were more appropriate for what the Council was trying to achieve.

**52. MINUTES OF THE PREVIOUS MEETING**

**Resolved:-**

That the minutes of the previous meeting of the Cabinet held on 20th September, 2022, be approved as a true and correct of the proceedings.

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

The Chair advised that appendices to Minute Nos. 58, 60 and 62 contained exempt information, however, the meeting remained open to the public and press throughout.

**54. PROPOSALS REGARDING DAY OPPORTUNITIES FOR PEOPLE WITH HIGH SUPPORT NEEDS**

Consideration was given to the report which sought to update on the outcome of the 90-day consultation exercise which established the views and needs of users of the current Learning Disability Day Service, their families and carers regarding the future service offer for people with high support needs. The report also sought approval for the proposals regarding a new service offer which included building at Warden Street in Canklow, complemented by community outreach.

A consultation exercise had been carried out in 2017 regarding the Transformation of Services and Support for People with a Learning Disability. Included within the transformation programme was the replacement of the existing High Support Day Service provision with a new service offering modern accessible day opportunities with multi-functional fit for purpose facilities, promoting independence, wellbeing and social inclusion. The current Service comprised 2 buildings: Maple Avenue at Maltby which was Council-owned and the Elliott Centre at Herringthorpe which was located on a large NHS-owned site and was leased.

There were issues with both current sites. Maple Avenue was a previous Children's Residential Home property over 2 floors that did not meet accessibility requirements. The building also limited the service that could be offered. The Elliott Centre lease was high risk for the Council and service users due to a lack of security of tenure. This was due to the 3 year term and "no-fault" 9 month break for both parties which could mean notice being served and alternative temporary accommodation needing to be found. The NHS was selling land on the same site for re-development

which left the site at risk of being a building site along with concerns over access and safety. There were also concerns over equipment, such as the heating system, coming to the end of its life.

It was intended that the current services based at Maltby and Herringthorpe would continue until the new Service was open and people could be moved across. The new Service would be available to all current day services customers, with the expectation of becoming operational on a phased approach by Winter 2024/25.

Details on the consultation process were set out in section 1.2 and 1.3 of the report with full consultee responses being included as Appendix 1. The Service Options Appraisal was attached as Appendix 2 and outlined the options for delivery of a new service. The Site Options Appraisal, attached as Appendix 3, detailed the outcome of findings and site visits by the Council's Asset Management Team. Following the consultation there had been a 50/50 split on whether users wanted one large building centrally located or 2 smaller buildings in different areas. The Site Options Appraisal, therefore, looked at the comments and opinions from the consultation; the availability, location and suitability of sites; best value and investment of the £2.1m to secure the highest quality facilities and service; and delivery of the best possible outcomes. A total of 29 potential sites had been identified. The proposal also took account of the service offer that was to be in place at the new facility.

The preferred option as set out in section 3.3 of the report was that the Service would operate from one large new build centrally located building, complimenting the community outreach support across the Borough to support local communities. The current Elliot Centre and Maple Avenue would be decommissioned and a new site developed at Warden Street, Canklow.

The Service Offer was specifically discussed during the meeting. It was confirmed, as per section 1.10 of the report, that any Service Offers currently delivered would continue under the new model. The new Service would be multi-functional within the heart of the community and welcome support and involvement from local businesses, community groups and voluntary sector organisations. The offer would focus on community connectivity and would support people with complex support needs delivered in a person-centred manner. This would be alongside a hub for wider community activity, learning and skill development.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board fully supported the recommendations but asked that consideration be given to ensuring that any consultation undertaken on Service design was inclusive and took account of the differing needs of current and prospective service users/groups across the range of protected characteristics. They also requested that further consideration be given to mitigating the potential carbon impact of disposal/demolition of Council

assets related to the scheme.

**Resolved:-**

1. That Cabinet acknowledge the outcome of the 90 day consultation exercise which established the views and needs of users of the current Learning Disability Day Service, their families, and carers and younger people preparing for adulthood, regarding the future Service offer for people with high support needs.
2. That Cabinet agree the recommended proposals for a new Service offer, as detailed in sections 1 and 3 of the report, including a new building at Warden Street in Canklow, complemented by community outreach.

**55. COMMISSIONING MENTAL HEALTH RECOVERY FOCUSED COMMUNITY SERVICES**

Consideration was given to the report which outlined proposals for a Flexible Purchasing System for a new care and support model for Mental Health recovery focussed Community Services. Mental Health Care and Support Services were necessary to meet the Council's statutory requirements. A review of current care and support provision indicated the need to improve the Community Service model to one which offered mental health recovery support, personalised social care with increased choice and control for people living with mental ill-health.

The new model had been co-produced in partnership with people accessing Services and their supporting professionals to inform service design. The aim of the Service was to support people to achieve independent living skills and move towards and sustain independent living in the communities in which they live. This was in line with the guiding principles of the mental health recovery framework for people who were deemed eligible for support under the Care Act 2014. This model promoted the identification of the strengths of individuals and offered them support to build the resilience necessary to enable them to regain control over their lives after experiencing a serious mental illness.

A Flexible Purchasing System would increase choice and improve outcomes for people in Rotherham. It would comprise a number of separate lots and each lot would specify a community service with the principle of mental health recovery at its core. This included supported living, day opportunities and preventative services.

The recommendations in the report were likely to complement Government's proposal to reform the Mental Health Act 1983 and modernise mental health care to ensure that patients were involved more closely in decisions about their care and treatment. The types of services required were set out in section 1.7 of the report.

The options considered were set out in section 3 of the report. The options of a market-led approach and the development of in-house provisions were not recommended. The Flexible Purchasing System model had been recommended for approval because it would allow the Council to procure a range of Community Services which reflect the principles of the Mental Health Recovery Framework to develop specialist provision in the Rotherham market. The range of services would be high quality and would have the required capacity and capability at competitive market prices. It was proposed that the Flexible Procurement System was advertised with an indicative 5 year duration, and the model would continue beyond this period if it remained fit for purpose. Organisations would be able to apply to join the FPS for as long as the model remained advertised.

**Resolved:**

1. That Cabinet approve a procurement process to establish a Flexible Purchasing System (FPS) and procure a range of Community Services which reflect the principles of mental health recovery model and at its conclusion successful bidders are appointed by the Strategic Director Adult Care, Housing and Public Health for a period of 5 years.

**56. HOUSING RELATED SUPPORT PATHWAY - PROPOSAL FOR FUTURE COMMISSIONING**

Consideration was given to the report which set out the recommendations for the future of Housing Related Support Services. These were non-statutory services that supported people experiencing homelessness or at risk of becoming homeless to live independently in the community. It was designed to complement the Council's offer to alleviate and prevent homelessness.

The proposals were a change to the current model, moving away from a set number of services for people with defined needs to one where resources could be more quickly accessed to meet needs, especially around complexity and where Service capacity could be better utilised.

There would be an agreed overarching Service specification, co-designed with the market. The premise of this would be that all commissioned services would have the ability to support anyone at risk of homelessness irrespective of compounding or complex issues, in a person-centred way. This would be used to procure a group of experienced and skilled service providers that were able to provide support and accommodation either on a block basis of multiple units or as individual packages of support. The system would allow for changes in need and demand, allowing the Council to access quality places. It will also allow quick access to the market, in the form of good quality and contractually compliant providers to maximise future short-term grant funding opportunities.

Details of the preferred option were set out in paragraph 3.1 to 3.10 of the

report. A Flexible Purchasing System would be used to procure a group of providers and would give the Council the greatest chance of maximising opportunities through additional and unforeseen funding. It would also allow for providers to opt in for different levels and types of support in relation to short-term emergency accommodation-based support; accommodation-based support; and floating support (resettlement or prevention.)

**Resolved:**

1. That Cabinet approve the remodelling of existing Adult Housing Related Support Services to create one single pathway which will support a 'no wrong door' approach into Services.
2. That Cabinet approve the procurement of the pathway using a 5 years Flexible Purchasing System which will be reviewed to ensure it remains fits for purpose and a progress report prepared for Cabinet.

**57. LOOKED AFTER CHILDREN AND CARE LEAVERS SUFFICIENCY STRATEGY 2023 - 2028**

Consideration was given to the report which explained that the current Looked After Children's (LAC) Strategy had been agreed in June 2019 and was due to end in December 2022. As such, a new Strategy needed to be in place for January 2023. The Duty of 'sufficiency' required Local Authorities (LA) to ensure that there was a range of sufficient and appropriate placements that met the needs of children and young people that were looked after by the LA. There was also a responsibility to take steps to develop and shape service provision to meet the needs of all children and young people in care at a local level, as far as was reasonably possible. The Looked After Children and Care Leavers Sufficiency Strategy 2023-2028 had been developed in line with the duty to provide or procure placements for Looked After Children by the Local Authority.

The Strategy identified the principles that were applied when commissioning the provision of secure, safe and appropriate accommodation and support to children in care and care leavers over the next 3 years. It provided the needs analysis that informed market management work, seeking to ensure that there was the right mix of provision available to meet the needs of children and young people and that this provision mix provided positive outcomes and value for money. Whilst the Strategy was not primarily a financial one, it was expected that the commissioning and strategic intentions set out would provide significant cost avoidance and savings opportunities and which were essential to the sustainability of improved outcomes and the LA budget.

The 2023-2028 Strategy was attached to the report as Appendix 1. It was confirmed that monitoring and oversight of progress against the delivery plan and an annual review of the aspirations would be undertaken by the

Corporate Parenting Board.

**Resolved:**

1. That Cabinet approve the new Strategy.
2. That Cabinet approve that the monitoring and oversight of progress against the delivery plan, and annual review of the aspirations, be undertaken by the Corporate Parenting Board.

**58. OPERATIONAL DELIVERY OF LAC SUFFICIENCY STRATEGY - NEW RESIDENTIAL PROVISION PROGRESS REPORT**

Consideration was given the report which provided an update on the in-house children's residential development that had been agreed by Cabinet on 17th February, 2020. A number of updates had previously been reported to Cabinet. The children's residential development responded directly to Rotherham Children and Young People's Services (CYPS) strategic intention to reduce the number of external residential placements for children and ensure more Rotherham Looked After Children (LAC) and young people were placed within the Borough, close to their family and community networks.

Updates on Phase one to three were provided in the report. Three new children's homes and one emergency home had been purchased or acquired; 4 managers and 44 staff members had been recruited; 3 homes had been rated as "Good" by Ofsted and 8 beds had been utilised by 9 children since the settings opened. A further 2 children and young people had been supported to "set down" from residential care into foster care settings.

There were also proposals to change the children's residential development plan across those phases to address demand and feedback from Ofsted. A one bed emergency accommodation children's home with flexible Statement of Purpose would be provided. It was proposed that instead of 2 x 4-bed homes, 4 x 2 bed-homes would be purchased. It was also proposed that a further report be brought back to Cabinet detailing a potential 2 x 2-bed home purchase (subject to Department for Education funding.) A decision on that funding was due in mid-October 2022.

The new provision, along with foster care, third party placements, semi-independent provisions, and other family-based placements, would provide a mixed economy of arrangements which would seek to effectively meet Rotherham's statutory duties, outlined in the Sufficiency Strategy 2019-2022.

**Resolved:**

That Cabinet:

1. Approve the following changes to the children's residential development plan across phases one to three:
  - a) Register one bed emergency accommodation children's home with flexible Statement of Purpose (SOP) to meet a variety of current and future sufficiency need.
  - b) Change phase three from 2 x 4-bed homes to 4 x 2-bed homes to better meet current demand, improve occupancy rate and cost efficiency
2. Agree to receive a further report regarding a potential fourth phase of the children's residential development which incorporates:
  - c) A potential further 2 x 2-bed homes (Subject to Open Children's Homes DfE funding bid – Decision due Mid-October 22)
3. Approve that the Assistant Director for Planning, Regeneration and Transport be authorised to negotiate the remaining acquisitions required and complete necessary transactions, in consultation with the Council's Section 151 Officer, Strategic Director Children's and Young Peoples Services, the Cabinet Member for Children and Young Peoples Services, and the Assistant Director of Legal Services.

**59. ROTHERHAM METROPOLITAN BOROUGH COUNCIL SPECIAL EDUCATION NEEDS AND DISABILITY SUFFICIENCY (SEND) PHASE 4**

Consideration was given to the report which sought approval to move forward with Phase 4 of the Rotherham Special Education Needs and Disability (SEND) programme of activity. From 2018 onwards, Cabinet had approved 3 previous phases of SEND Sufficiency, each targeted at addressing incremental rises in SEND cohorts and creating or improving specialist education provision. This was in order to make Rotherham best placed to have education provision within the Borough that met the needs of all children, young people and young adults with identified SEND needs.

Phase one had concentrated on increasing special schools places; phase two focussed on the need for more targeted provision for children with Autism Spectrum Disorder and phase 3 created specialist provision for children and young people with Social Emotional and Mental Health needs through the Elements Academy which opened in September 2022. Rotherham had also entered into a Safety Valve Agreement with the Department for Education.

The focus of phase 4 was to work closely with schools within the Borough

and the DfE to create 10 additional SEND resource bases within mainstream education settings which would create a minimum of 100 additional SEND places over the next 3 academic years. The proposed breakdown of these places was set out in paragraph 1.7 of the report.

The second proposed aspect of Phase 4 was to support School Access Issues (both in mainstream schools and Special Schools) by creating 2 funding streams which would be accessible through application and assessment for schools to request capital investment to support the schools to meet a higher threshold of SEND need. This would be through adaptation to existing buildings and would allow a wider level of complexity of need to be met within individual settings. The total fund would be £3 million across 4 years. The rollout of the schemes was expected from Easter 2023 onwards.

**Resolved:**

1. That approval be granted for the proposal to create 10 additional SEND resource bases in mainstream education and thus create a minimum of 100 additional SEND places across this phase of SEND sufficiency.
2. That approval be granted for the proposal to enhance both mainstream and specialist SEND accessibility, through targeted investment in schools to enhance their ability to meet a wider level of SEND needs within their individual education settings.
3. That the 2022/23 High Needs Capital Allocation be used to fund these proposals in line with Safety Valve Capital Application submitted to the DfE.

**60. FOSTERING FEES AND ALLOWANCES 2022**

Consideration was given to the report which sought to improve the care experience for children in Rotherham by ensuring that, wherever possible, they were looked after in a foster family environment. This meant children could be cared for and stay connected closer to their families, schools, communities, and services that know them best. In the spirit of this ambition, to retain existing foster carers and recruit new ones, the Council's Children and Young People's Services (CYPS) was seeking approval to revise and increase its 'offer' for foster carers regarding the fees and allowances that they received.

In order to make the Council more competitive in the foster carer market and encourage foster carers to join, stay and offer more children a family home, benchmarking activity had been completed. The Council's digital marketing was provided by an independent marketing agency who regularly analysed the market. This benchmarking activity, described in full in Appendix 1 and Appendix 2, highlighted that when compared to an Independent Fostering Agency or other local authorities, the Rotherham's

offer was less competitive in relation to payments linked to mileage, third and subsequent placements and enhanced fees when supporting complex young people.

Currently, the Council's skills payment was paid at 100% for the first and second placement then at 50% for third and subsequent payments. Benchmarking identified a range between £50 and £102.10 for skill level 1 and 2, between £86.71 and £277.76 for skill level 3 and between £112.21 and £468.48 for skill level 4. The feedback from foster carers identified 3 existing fostering families who would consider extending their approval if the full skills payment was offered for a third child. Appendix 5 detailed analysis of foster carer allowances and explained how the skills payments were allocated and included regional benchmarking associated with skills payments and feedback from foster carers.

The proposed uplift position was to pay 100% of the skills payment for the third plus child. This would be £100.00 at level 1, £125.00 at level 2, £175.00 at level 3 and £360.00 at level 4. Currently 8 children were placed as a third or fourth in-house fostering placement. Implementing this proposal would increase the cost of these placements by circa £87.50 per week per child. For the 8 children this equated to £36.4k per annum.

3 additional carers had been identified to date, who would be willing to take an additional child subject to the new payment offer. Against a standard IFA placement this would save £81k per annum for 3 placements.

It was also proposed that the foster carers' mileage rate be increased from 40p per mile to 45p per mile. This was in line with the rate received by Council employees. The rate for day care would also increase with the rate depending on the age of the child as per paragraph 2.5 of the report. A Complex Care Payment and Enhanced Payment would also be introduced.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board fully supported the recommendations but asked that an annual review of the achievements of the Fostering Service be undertaken, including a report on the impact and outcomes of the changes to fostering fees and allowances.

**Resolved:**

That approval be given to make the following changes to improve the financial offer for Foster Carers to support retention and recruitment of Foster Carers:

1. To change the service model to provide a financial package for foster carers based on the needs of the child/young person as well as the skills of the foster carer.

2. To make the following changes to the fees and allowances that foster carers receive:
  - a) 100% of skills payment to be paid for all children placed
  - b) Increase to foster carer mileage rate from 40p per mile to align to employee rates, currently 45 pence per mile
  - c) Agreement to the revised Day Care payment
  - d) Uplift of the skills payments aligned to the annual inflationary uplift in the national fostering maintenance allowance
  - e) Agreement to the complex care payment allowance e.g., for Step down to Foster Care and Emergency Foster Care for Teenagers in crisis
  - f) Agreement to the Enhanced payment allowance e.g., Children with complex behaviour and/ or health needs
3. That an annual review of the achievements of the Fostering Service be undertaken, including a report on the impact and outcomes of the changes to fostering fees and allowances.

**61. ROTHERHAM LOCAL HERITAGE LIST**

Consideration was given to the report which set out the proposed process for local heritage listing. Local heritage lists identified locally valued heritage assets, nominated mainly by members of the public and local interest groups. Such a list included heritage assets that were not nationally designated (for example, not listed buildings or scheduled monuments) but had local value and/or heritage interest. The Council did not currently have a process in place for establishing and maintaining a local heritage list. As such, local heritage listing was recommended to help identify heritage assets that would warrant consideration in the planning process.

South Yorkshire Archaeology Service (SYAS), as a joint service for the whole of South Yorkshire, had been awarded Government funding to lead on the establishment of a local heritage list for Barnsley, Doncaster, Rotherham and Sheffield. In discussion with officers from the 4 authorities, and using guidance produced by Historic England, SYAS had proposed a local heritage listing process to be followed by each Authority. The process would ensure that nominations received were appropriately assessed prior to inclusion onto the local heritage list. The outcome would give greater weight to the protection of locally valued heritage assets when making planning decisions. The process would include delegation to the Head of Planning and Building Control to allow for efficient and timely changes to the list.

The suggested process was set out in paragraph 2.2 of the report and the assessment criteria was contained in Appendix 1.

**Resolved:**

1. That Cabinet note the production of a local heritage list for the whole of South Yorkshire in general and Rotherham in particular.
2. That, in order to compile the full Rotherham Local Heritage List, Cabinet approve the proposed process for local listing as set out in the report.
3. That Cabinet approve delegation to the Head of Planning and Building Control, in consultation with the Cabinet Member for Jobs and the Local Economy, to include, amend or delete heritage assets on the Rotherham Local Heritage List.

**62. FORGE ISLAND FINAL DELIVERY ARRANGEMENTS**

Consideration was given to the report which set out a recommended delivery approach to allow the Forge Island Scheme to progress to the construction phase. The approach involved the Council acting as funder for the scheme and contracting with Muse Development Limited to facilitate delivery.

Very recent volatility of the financial markets and the challenge this posed to private funders providing up-front capital within the requirements previously agreed by the Council, had resulted in Muse (in line with the Development Agreement for Lease) re-assessing delivery arrangements and proposing options for the Council to consider, including the Council acting as funder of the whole or part of the development. Consideration of this option was urgent as a result of ongoing and rapidly changing upheaval in the financial markets which was reducing both the availability and the attractiveness of private funding as a route to deliver the scheme. This was combined with time pressures that were created through the commercial agreements with prospective tenants and contract prices.

The matter had been considered by Council on 5th October, 2022, and Council had agreed to give Cabinet the option to act as funder of the whole development and approve the necessary increase in the Council's Capital Programme to allow for this.

It was noted that, irrespective of the source of upfront Capital funding, it was expected that the cost of repayment of the Capital costs would be met wholly or largely over the long term by revenue generated from commercial activity in the Forge Island development. It was recognised that changing the delivery arrangements for the Scheme to a position where the Council acted as funder would change the nature of the arrangement with Muse. To do so would require the Council and Muse to

enter into a Forward Funding Agreement (otherwise known as a “development funding agreement”) which would create a Public Works Contract. For reasons of transparency, a Voluntary Ex-ante Transparency Notice (VEAT) Notice was issued on 26th September, 2022, putting into the public domain the fact that the Council was considering this option.

Full details of the analysis and financial modelling of all options had been presented to Cabinet in Exempt Appendix 1.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board fully supported the recommendations.

**Resolved:**

That Cabinet:

1. Approves an increase in the Council’s Capital Programme to allow the upfront capital costs of the Forge Island development to be funded by the Council rather than a private investor, in order to provide best value to the taxpayer.
2. Approves the award of the contract for the delivery of the Forge Island Development to Muse Developments Limited.
3. Delegates authority to the Strategic Director of Regeneration of Environment, in consultation with the S151 Officer and the Cabinet Member for Jobs and Local Economy, to enter into the agreements necessary to give effect to the Forge Island Scheme.

**63. CLIMATE EMERGENCY ACTION PLAN 2022/23**

Consideration was given to the report which presented the updated Climate Emergency Action Plan 2022/23 which was attached at Appendix 1. The report also noted the progress towards the Council’s NZ30 and NZ40 targets and noted the progress against the action outlined within the updated Climate Emergency Action Plan. Also included in the report was a summary of the key updates and risk along with an outline of the next steps to be taken. This included the development of a longer term Climate Emergency Action Plan for 2023/24.

A progress summary was included at paragraph 2.13 of the report and included the following:

- Successful recruitment of the Climate Change Delivery Team.
- Improved utilisation of climate related data – this will further the understanding of carbon emission reductions and inform future actions taken to reach the NZ30 and NZ40 targets.
- Successful negotiation of a change to the BDR contract that incentivises the contractor to divert more from landfill. As a result, the

percentage of residual waste sent to landfill has decreased to 0.6%, meaning that 99.4% of waste is now diverted from landfill.

- Initial pilot of Carbon Literacy Training complete, with a view to rolling this out to staff and Elected Members from the end of 2022 and into 2023.
- Additional funding opportunities have been awarded. E.g., £1.5 million from Wave 1 of the Social Housing Decarbonisation Fund.
- Established the housing stock emission baselines of Council-owned homes.

The next steps included the development of a new Climate Emergency Action Plan which would form part of the annual update that would be presented to Cabinet in March 2023. The Climate Change Project Board continued to meet monthly and continued to review and update that Action Plan.

**Resolved:**

That Cabinet approve the Climate Emergency Action Plan in Appendix 1.

**64. OUTCOMES FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD RELATING TO THE CHILDREN'S COMMISSIONER'S TAKEOVER CHALLENGE - CLIMATE CHANGE**

On 16th March, 2022, the Children's Commissioner's Takeover was held in Rotherham with climate change as the theme for this year's challenge. Rotherham Youth Cabinet had climate change as one of their key priorities in their manifesto.

Appendix 1 to the report set out the recommendations following the Children's Commissioner's Takeover Challenge and the proposed response for Cabinet to consider. The recommendations developed by the Youth Cabinet focussed on:

- Enhanced action to reduce pollution and single-use plastics.
- Strengthening inclusive engagement with young people on the climate and environment agenda for Rotherham including through the development of an Environmental Awards Scheme for Rotherham Schools.
- Increased provision of carbon literacy training/awareness raising.

The recommendations had been considered by the Overview and Scrutiny Management Board in July 2022 who recommended that they be considered by Cabinet.

**Resolved:**

That the Cabinet response to the Children's Commissioners Takeover Challenge on Climate Change be approved.

**65. 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.

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

**Resolved:-**

That the next meeting of the Cabinet be held on Monday, 21st November 2022, commencing at 10.00 a.m. in Rotherham Town Hall.