

THE CABINET
Monday 21 November 2022

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

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

Apologies for absence were received from Councillors Lelliott.

67. DECLARATIONS OF INTEREST

There were no declarations of interest.

68. QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) Mr Marston enquired about the progress or what was planned for the “ill-thought-out” Broom Road cycle lane. There had been a consultation one year ago, but Mr Marston had not heard anything since. He had made comments and asked what the situation was. Mr Marston stated that it seemed to have been designed as if it was a flat area, but it was not due to the “Eddie the Eagle” roundabout which for cyclists was not a simple thing to get passed. Was any notice taken of the consultation and have there been any changes planned?

The Leader explained that Broom Road Cycle Scheme was consulted on around a year ago, but a final version of the Scheme had not yet been published. It was still the expectation that something would go ahead in that location. However in terms of the final design and responding to the consultation, the Leader was not aware of further progress.

The Strategic Director for Regeneration and Environment, Paul Woodcock, explained that the matter did need to be looked into by his team. He confirmed that there was still an intention to progress, and he agreed to meet with Mr Marston to run through the concerns and provide an update on the stages of the Scheme, the next steps and the timetables.

In his supplementary, Mr Marston stated that a lot of safety concerns had not been taken into account and as proposed, the Scheme would be against safety and against encouraging bus use by taking out bus stops. Mr Marston asked if anyone present had any information on the usage of those bus stops?

The Leader explained that no one in the meeting had that information to hand but if Mr Marston left his contact details at the Town Hall, a Member of Mr Woodcocks team would be in touch regarding his concerns.

69. MINUTES OF THE PREVIOUS MEETING

Councillor Allen advised of two corrections to the Minutes. The sentence “*apologies for absence were received from Councillors*” should have been removed and Minute 58, paragraph 2 should read “*step down*” rather than “*set down.*”

It was also confirmed that a funding decision had been received in mid-October as stated in Minute 58, paragraph 3.

Resolved:-

That the Minutes, as corrected, of the previous meeting of the Cabinet held on 17 October 2022 be approved as a true and correct of the proceedings.

70. 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.

71. PROPOSAL TO CLOSE ROWAN CENTRE PUPIL REFERRAL UNIT (PRU) - FOLLOWING THE TRANSFER OF PUPILS TO ELEMENTS ACADEMY

Consideration was given to the report which sought approval to commence statutory processes prescribed by the Department for Education (DfE) to bring forward proposals to formally close the Rowan Centre Pupil Referral Unit (PRU), following Statutory Guidance for Proposers and Decision Makers 2019 – Opening and Closing Maintained Schools.

The Rowan Centre PRU, Estate Road, Rawmarsh had evolved over time into a provision exclusively for children with Education, Health, and Care Plans (EHCPs) with a presenting need of Social, Emotional and Mental Health (SEMH). However, all pupils who attended the Rowan Centre had now transferred to the Elements Academy at Dinnington via the EHCP process. The Elements Academy opened in September 2022 for pupils with EHCP’s with a presenting need of SEMH needs.

Subsequently, the Rowan Centre site had been vacated and stood empty. To use the site for other registered education provision, it was necessary to follow a statutory process to formally close the Rowan Centre as a Local Authority maintained School and make the site available for other educational purposes as required by DfE. Should proposals to formally close the Rowan Centre be approved following statutory process, the site could be offered to education providers for the use of education provision where there was an identified need and the proposal be approved by DfE in due course.

The option of leaving the site “as is” was rejected as the building would inevitably fall into disrepair over a period of time.

It was anticipated that a report would be brought back to Cabinet in February 2023 setting out the outcome of the pre-statutory consultation and seeking approval to proceed to a period of statutory consultation by public notice. A further report would then be presented in April 2023 outlining the outcome of the statutory consultation and seeking determination of the proposals.

Resolved:-

1. That approval be granted to commence a period of pre-statutory consultation on proposals to close Rowan Centre PRU.
2. That a further report be brought to Cabinet following pre-statutory consultation, outlining the outcome of the consultation, and seeking approval to enter into a period of statutory consultation.

72. SEPTEMBER 2022/23 FINANCIAL MONITORING REPORT

Consideration was given to the report which set out the financial position as at the end of September 2022 and was based on actual costs and income for the first six months of 2022/23 and forecast for the remainder of the financial year.

Members noted that financial performance was a key element within the assessment of the Council’s overall performance framework and was essential to achievement of the objectives within the Council’s Policy Agenda. The report was the third in a series of monitoring reports for the 2022/23 financial year which would continue to be brought forward to Cabinet on a regular basis.

As of September 2022, the Council currently estimated an overspend of £18.2m for the financial year 2022/23. Whilst the core directorates services had a forecast yearend overspend of £8.1m on the General Fund, there was £10.1m of estimated unbudgeted cost resulting from the wider financial impact of the war in Ukraine, inflation, energy price increases and the impact of the 2022/23 pay award, costs that the Council could not have projected within its Medium Term Financial Planning. These additional financial challenges had been factored into the current forecast following a review of the impact of these pressures on the current year and Medium-Term Financial Planning.

Whilst the energy price rises and inflation would impact the Council’s costs in the provision of services, there would be some mitigation in future years by increased core funding as business rates income was indexed to the rate of inflation. This position could change should Government announce changes to the funding of local authorities or if Government did not provide inflation uplifts in line with the Council’s assumptions.

Government had provided a Budget announcement on the 17 November, after publication of the report and as such, the impact of the announcement could not be factored in.

It was currently expected that the period of high inflation would last for around two years before returning to a more normal level but the cost increase being experienced would raise the base cost of services on which future inflation was applied meaning a compounding impact. Work was underway to understand the impact of the Government's energy support package for Councils on the current financial year.

As such the Council faced significant financial pressures that would need to be managed and mitigated through the Medium Term Financial Strategy and through significant use of the Council's reserves. Whilst there were demands nationally for additional support to the public sector to address the uncontrollable cost increases, it was not currently expected that additional funding would be provided to local authorities as part of the financial settlement for 2023/24.

The Leader explained that Councils everywhere were facing budget pressures as many factors were outside of the control of Local Authorities. Additional costs relating to placement pressures within Children and Young People's Services, Home to School Transport pressures within Regeneration and Environment and CYPS and pressures relating to the longer-term recovery from COVID-19 were also highlighted. The Leader stated that the Autumn Statement from Government did not provide the level of support required but there was some financial resilience in the level of reserves. It was expected that at some point, holes in the budget would have to be addressed and it was important to be clear about that.

Paragraphs 2.45-2.49 provided details on the Market Sustainability and Fair Cost of Care Fund 2022 to 2023. Rotherham had received £908k. 75% of this was expected to be allocated to increase fee rates paid to providers in scope, where necessary, and beyond pressures funded by the Local Government Finance Settlement 2022/23. Up to 25% could be used to fund implementation activities associated with meeting the fund purpose. It was proposed that £37k would be used to support additional posts that were recruited to undertake the work and the remainder of the available fund be apportioned (as a one-off payment) between Older People's Care Homes and Home Care providers.

Paragraphs 2.50-2.54 provided details on the Homelessness Rough Sleepers Initiative Grant Funding 2022-25. Rotherham Council would receive £1,250,260 over the three-year term. It was proposed that £513,213 of the funding would be used for the procurement of an 8 bed Emergency Accommodation Hub developed by the Council in response to the Rough Sleepers Initiative in 2019.

An update on the Capital Programme finances was set out in Paragraph 2.56. The Capital Programme 2022/23 totalled £173.847m split between

the General Fund £130.575m and HRA £43.272m. This was a decrease of £14.291m to the position as at the end of July reported to Cabinet on 19 September 2022.

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. Note the current General Fund Revenue Budget forecast overspend of £18.2m.
2. Note that actions will continue to be taken to reduce the overspend position but that it is likely that the Council will need to draw on its reserves to balance the 2022/23 financial position.
3. Note the updated Capital Programme.
4. Approve the proposed use of the Market Sustainability and Fair Cost of Care Fund.
5. Approve the proposed use of the Homelessness Rough Sleepers Initiative Grant.

73. MEDIUM TERM FINANCIAL STRATEGY

Consideration was given to the report which set out a review and update of the Council's Medium Term Financial Strategy (MTFS) to 2025/26. The MTFS would be revised further in advance of the Council Budget setting meeting in March 2023, to take account of the Local Government Finance Settlement for 2023/24, when issued, along with budget policy proposals on levels of council tax and fees and charges and any budget savings or investments.

The MTFS forecast identify that the Council faced a significant financial challenge in setting a balanced budget for 2023/24 through to 2025/26 due to pressures outside of the Council's control. Therefore, it was expected that additional use of reserves would be required for 2022/23 and likely for 2023/24. This position was subject to review when the Finance Settlement for 2023/24 was received though there remained substantial uncertainty with the UK economy and the levels of public sector financing that were expected within the Finance Settlement for 2023/24.

It was therefore possible that announcements made by Government on the 17 November 2022 or within the subsequent Finance Settlement for 2023/24 could add further financial pressures to the Council's MTFS

position, either through Government not inflating public sector resources as assumed or through other cuts to public sector funding.

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:

1. That the MTFFS update be noted.
2. That Cabinet note the requirement to use reserves in order to balance the Council's outturn position for 2022/23.

74. NEW APPLICATIONS FOR BUSINESS RATES DISCRETIONARY RELIEF FOR ROTHERHAM RISE AND THE REALLY NEET PROJECT LIMITED

The Council had received an application for the award of Business Rates Discretionary Relief for Rotherham Rise and the Really Neet Project Limited. In line with the Council's Business Rates Discretionary Relief Policy, having regard to the financial cost of the proposed relief, the charitable use of premise and the contribution that the organisation makes to the local community, it was recommended that the award of discretionary relief be granted to Rotherham Rise and the Really Neet Project Limited.

Rotherham Rise was a registered charity which provided free counselling and support for adults, young people and children who had experience any form of domestic abuse and/or child exploitation. They had taken on additional rooms with their existing premises to provide more appointments and training rooms.

The Really Neet Project Limited was a social enterprise not for profit organisation which aimed to meet the needs of vulnerable young people through training and education. The organisation also offered innovative and engaging learning opportunities which would develop the range of skills, personal attributes and qualifications required to progress into employment or further education. They have taken on additional properties to continue their work and are seeking the Council's support with funding the business rates on those.

The cost to Rotherham Council for the 2022/23 financial year was £377.05 for Rotherham Rise and £9,428.20 for the Really Neet Project Limited. The cost for the 2023/24 financial year was not expected to be significantly different.

Resolved:

1. That Cabinet approve the applications for Discretionary Business Rate

Relief for Rotherham Rise and The Really NEET Project Limited in accordance with the details set out in Section 6 to this report for the 2022/23 financial year.

75. CORPORATE SAFEGUARDING PROTOCOL

Consideration was given the report which explained that a new Corporate Safeguarding Protocol had been developed which acted as a framework for the Council to ensure that safeguarding was embedded across all services and that all staff and Councillors were aware of their responsibilities. The report also referenced the outcome from the recent Inspection of Local Authority Children's Services which demonstrated the effectiveness of safeguarding practice in the Council.

The Council had a duty to make appropriate arrangements to safeguard and promote the welfare of children, young people and adults. The Council believed that every child, young person and adult, regardless of their background, age, culture, sexual orientation, gender identity, disability, ethnicity or religious belief should be able to live and participate in a safe society without any fear, violence, abuse, bullying, discrimination or exploitation.

The previous Safeguarding Policy which had been in place for five years was proposed to be superseded by this protocol based on current good practice. The new Corporate Safeguarding Protocol at Appendix 1 to the report demonstrated a corporate framework which set out how all services across the Council worked to deliver the Council's statutory safeguarding duties and responsibilities. The proposed statement was aligned to the Care Act (2014) and the Working Together to Safeguard Children Statutory Guidance (2018), corporate responsibilities, the Council Plan and Year Ahead Delivery Plan.

An Inspection of Local Authority Children's Services (ILACS) took place on the week beginning 20 June 2022, which considered the effectiveness of safeguarding arrangements for children. On 12 August the Council were notified that Ofsted judged Children's Services overall effectiveness to be Good.

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:

1. That Cabinet approve the updated Corporate Safeguarding Protocol.
2. That Cabinet note the outcome of 'Good' from the recent Ofsted Inspection of Children and Young People Services.

76. REFRESH OF THRIVING NEIGHBOURHOODS STRATEGY (2018-2025)

Consideration was given to the report which presented the refreshed Thriving Neighbourhoods Strategy. The original Strategy had been approved by Cabinet in November 2018. However, since the publication of the new Council Plan (2022-25), it was seen as an opportune time to refresh the Strategy, taking into account the ambitions in the Council Plan and acknowledging that the Council's Neighbourhood Working Model was well embedded and evolving. This was evidenced by annual reports presented to Improving Places Select Commission and the ward reports presented by Elected Members to each Council meeting. The Council Plan had further developed the Council's vision under its "Every Neighbourhood Thriving" theme.

The main differences in the refreshed Strategy, attached at Appendix 1 to the report, were:

- A foreword from the Deputy Leader / Cabinet Member for Neighbourhoods.
- Reference to the Council's 'Place-Based' and 'Strengths-Based' approaches.
- Greater emphasis on the role of the Councillor, referencing Birmingham University's 21st Century Councillor Model.
- Reference to how success is measured.
- Links to relevant webpages, which illustrate the progress made since 2018.
- Removal of case studies – as there are now other avenues to promote these such as ward e-bulletins, ward webpages and Members' annual ward reports to Council.

On approval of the refreshed Strategy, it was proposed to develop a Delivery Plan, which would capture the key components of the Neighbourhood Working Model, how the Model would continue to evolve and how the impact would be measured. The Delivery Plan would be developed in consultation with local communities, Elected Members and other stakeholders between January and March 2023. This would also help further promote the Neighbourhood Working Model and the role of Elected Members as community leaders within their wards. On completion, the Delivery Plan would inform the key milestones for Every Neighbourhood Thriving theme within the Council Plan's Year Ahead Delivery Plan. It was recommended that the completed Delivery Plan be presented to Improving Places Select Commission in Spring 2023.

Resolved:

1. That Cabinet approve the refreshed Thriving Neighbourhoods Strategy (2018- 2025).
2. That Cabinet agree that the Thriving Neighbourhoods Strategy

Delivery Plan and Full Equality Analysis are developed by April 2023 and presented to the Improving Places Select Commission in Spring 2023.

77. 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.

78. DATE AND TIME OF NEXT MEETING

Resolved:

That the next meeting of the Cabinet be held on Monday 19 December 2022, commencing at 10.00am in Rotherham Town Hall.