

THE CABINET
13th February, 2023

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

111. DECLARATIONS OF INTEREST

There were no declarations of interest.

112. QUESTIONS FROM MEMBERS OF THE PUBLIC

A question was received from Councillor Ball who asked where the non-compliant vehicles go now that buses within Sheffield had to comply with the clean air scheme?

The Leader explained that Rotherham had its own clean air mandate as part of the agreement with Sheffield and did not foresee the concentration of those buses as being an issue within Rotherham. Rotherham are likely to be the first place in South Yorkshire to introduce a fleet of EV buses which are expected to arrive next year.

The Cabinet Member for Adult Social Care and Health explained it was important that the Council did what it could do to negate the impact of unclean air as they were fully aware that polluted air did have an impact on people's health.

In his supplementary Councillor Ball noted that Rotherham bus station was quite a condensed space and queried if air monitors could be added to monitor the emissions.

The Leader said he would need to find out if this was possible and would provide a written answer.

A question was received from Councillor Mills. He began by noting the shocking documentary that aired recently about child sexual exploitation which heavily featured Rotherham Council. He then asked how the Council expected the survivors to trust the Council and Councillors that he felt failed to speak out.

The Leader said the revelations within the documentary were no less shocking than they were 8 years ago, however, they came out through a piece of work that was commissioned by the Labour Councillors at that time, who wanted to put it right. Lots of actions were taken over those 8

years, with a series of measures put in place to assure the Council's practices. The Council worked with the National Crime Agency to ensure that all those let down in the past had access to justice and the support services that had been commissioned. He understood that these measures would not make it easy for someone who had been let down in the past to trust the Council, however, they would continue to take the right steps to ensure services were right and to work towards minimising and preventing the risk of it happening again in the future.

In his supplementary Council Mills said he felt Councillors who had failed to speak out were afraid of being called racist and were afraid of speaking out and protecting vulnerable children. He queried if the Councillors would be apologising for their lack of action and would they be made to resign so that survivors could begin to trust the Council again.

The Leader explained that Councillors who were appointed during that time, went through an intense period of scrutiny. Out of that scrutiny a number of Members voluntarily stood down or were stood aside at that time. Those who remained were trusted by the Party and those in their Wards who re-elected them on 2 occasions. In a democracy that was the right way for it to be determined. He did not foresee that they would be stepping down. He believed that all of them had apologised for the failings of the whole Council and all of those people had also been at the heart of putting things right within the Council to ensure the Council was in a better place.

113. MINUTES OF THE PREVIOUS MEETING

Resolved:

That the minutes of the Cabinet meeting held on 23rd January, 2023, be approved as a true and correct record of the proceedings.

114. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that appendices to Minute Nos. 115 and 126 contained exempt information, however, the meeting remained open to the public and press throughout.

115. MENTAL HEALTH SERVICE REVIEW

Consideration was given to the report submitted which set out the options and recommendations as part of the Adult Social Care Mental Health Review within Rotherham. The focus of the review would be a revised Mental Health model with the main emphasis being to enhance the early intervention and prevention offer and to ensure that people of Rotherham had an effective service offer and pathway.

The Council had progressed a great deal with its offer on learning disabilities but there was now a need to develop a new vision and strategy from 2023 onwards. The basic principles, which were agreed in 2017, needed to be incorporated into this. The objectives were to have a more diverse approach, promoting wellbeing and high-quality care. The Council's approved mental health professionals AMPH had been seconded to RDASH for the last 12 years. A new model was needed that encapsulated early intervention and prevention and a personalised, strength-based approach featuring recovery.

The proposal was that staff seconded to RDASH would be brought back to the Council. The proposal would support the Council being a more responsible employer, revise the health and social care pathway to be co-produced with a greater focus on reablement and recovery to signpost people back into their communities. The proposal had been shared with RDASH and the ICP who had indicated their support.

Resolved: That Cabinet:

1. Approve the development of the Mental Health revised service offer and model with agreement for this to come back to Cabinet in December 2023 prior to implementation.
2. Approve a programme of work to co-produce a new mental health reablement and day opportunities offer with people with lived experience, their families and carers.

116. FAMILY HUBS AND START FOR LIFE PROGRAMME

Consideration was given to the report submitted which sought approval to spend the Family Hubs and Start for Life grant using the approach outlined. The grant was made available to Rotherham from the Department for Education (DfE) and the Department for Health and Social Care (DHSC) as one of 75 Local Authorities that was pre-selected.

The grant provided an opportunity for additional investment, circa £3.4m over 3 years to the Council. The funding was predominantly for 'transformation,' (with 5% ring fenced for capital adjustments & upgrades to existing buildings).

Family Hubs were a way of joining up the planning and delivery of Family Help and Support Services to improve access, connections between families, professionals, services, and providers, and to put relationships at the heart of Family Support.

The conditions of the grant were prescriptive and the programme was required to be transformational. The proposed programme and approach would add value to the existing services.

The Cabinet Member for Adult Social Care and Health explained that Public Health consultants had worked closely with staff on the proposal. The Health and Wellbeing Board would also receive progress reports.

The Leader welcomed the proposal indicating the multi-agency working being accessible to the community will be of benefit. Previous studies had shown the benefit of this provision.

Resolved:

1. That Cabinet accept the grant funding and approve the approach to the governance and management of the grant.

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

Consideration was given to the report submitted which sought approval to commence a period of statutory consultation by public notice on proposals to close the Rowan Centre Pupil Referral Unit following the Department for Education (DfE) prescribed process.

The consultation had begun on 21st November, 2022. It was clarified that the setting was now empty following the successful transfer of all pupils. A benefit to the proposal was that it would enable the site to be used for other educational purposes.

It was proposed that recommendation one be amended to note that no representations in relation to the pre-statutory consultation had been received.

Resolved:

1. That there were no representations in relation to pre statutory consultation to be noted.
2. That approval be granted to commence a period of statutory consultation on proposals to close the Rowan Centre PRU by public notice.
3. That the Department for Education be formally notified of the proposal.
4. That a further report be submitted to Cabinet following statutory consultation, outlining representations to the formal consultation, and seeking determination of the proposals.

118. BUDGET AND COUNCIL TAX REPORT 2023/24

Consideration was given to the report submitted which proposed the Council's Budget and Council Tax for 2023/24, based on the Council's Provisional Local Government Finance Settlement for 2023/24, budget consultation and the consideration of Directorate budget proposals through the Council's Budget process alongside a review of the financial planning assumptions within the Medium-Term Financial Strategy (MTFS).

The following 3 priorities were taken into account when considering the budget proposals:

- Protecting front line services as much as possible.
- Mitigating the cost-of-living pressures as much as possible, in particular for those on low incomes.
- Maintaining a sustainable position. The proposals were expected to balance the budget for the next 2 years as well as providing an uplift for Adult Social Care.

The Cabinet Member for Adult Social Care and Health welcomed the additional funding for Adult Social Care. The key issues in Adult Social Care nationally were regarding the demand and expectations, however in Rotherham it was regarding the retention and provision of staff in care homes, in particular the levels of remuneration they received.

The Cabinet Member for Social Inclusion welcomed the investment in the Waterloo Kiln restoration. The Kiln was significant, and it was important to get the work completed as quickly as possible. The project had been matched funded by Historic England.

The Deputy Leader and Cabinet Member for Neighbourhood Working thanked and praised staff within Neighbourhoods and Democratic Services for identifying savings within the budget, in particular the proposal to close the Town Hall on Fridays. She clarified the Town Hall could still be used for special events on Fridays, such as for Annual Council, if needed. She noted the services of the Strategic Director of Finance and Customer Services and her team along with her fellow Cabinet Members for their assistance with the proposals.

The Cabinet Member for Corporate Services, Community Safety and Finance noted that the Council tried its best to support the most vulnerable of its residents where there was increased demand and he felt the proposed budget contributed to that support.

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.

The Strategic Director of Finance and Customer Services explained that the Council was still awaiting information from Government regarding the Public Health grant. Assumptions on its content had been made, however, there was the potential for change depending on the outcome.

Resolved: That Cabinet recommended to Council

1. Approval of the Budget and Financial Strategy for 2023/24 as set out in the report and appendices, including a basic Council Tax increase of 2% and an Adult Social Care precept of 2%.
2. Approval of the proposed extension to the Local Council Tax Support Top Up scheme, that will provide up to £117.60 of additional support to low-income households most vulnerable to rising household costs, through reduced Council Tax bills as described in section 2.5.11-14.
3. Approval of the updated Medium Term Financial Strategy (MTFS) to 2025/26, as described within section 2.6.
4. Approval of the Reserves Strategy as set out in Section 2.9 noting that the final determination of Reserves will be approved as part of reporting the financial outturn for 2022/23.
5. To note and accept the comments and advice of the Strategic Director of Finance and Customer Services (Section 151 Officer), provided in compliance with Section 25 of the Local Government Act 2003, as to the robustness of the estimates included in the Budget and the adequacy of reserves for which the Budget provides (Section 2.14).
6. To note the feedback from the public and partners following the public consultation on the Council's budget for 2023/24 which took place from 19th December, 2022, to 22nd January, 2023, attached as Appendix 10.
7. Approval of the proposed increases in Adult Social Care provider contracts and for Personal Assistants as set out in Section 2.4.
8. Approval of the revenue investment proposals set out in Section 2.7 and Appendix 2.
9. Approval of the Council Fees and Charges for 2023/24 attached as Appendix 7.
10. Approval of the revenue savings proposals set out in Section 2.8 and Appendix 4.
11. Application of the Business Rates Reliefs as set out in Section 2.10, in line with Government guidance.

12. Approval of the proposed Capital Strategy and Capital Programme as presented in Section 2.12 and Appendices 3A to 3F.
13. Approval of the Treasury Management matters for 2023/24 as set out in Appendix 9 of this report including the Prudential Indicators, the Minimum Revenue Provision Policy, the Treasury Management Strategy and the Investment Strategy.
14. Approval of the Flexible use of Capital Receipts Strategy 2023/24 (Appendix 5).
15. Approval that the projected 2022/23 revenue outturn overspend will be funded from the Council's corporate reserves as indicated within section 2.9.
16. Approval that any changes resulting from the Final Local Government Finance Settlement 2023/24 be reflected in the Budget and Council Tax Report to Council on 1st March, 2023.
17. It is recommended to continue with the principles and measures adopted since April 2020 to make faster payments to suppliers on receipt of goods, works and services following a fully reconciled invoice as described in section 2.11.
18. Approval that the Capital Programme Budget continues to be managed in line with the following key principles:
 - (i) Any underspends on the existing approved Capital Programme in respect of 2022/23 be rolled forward into future years, subject to an individual review of each carry forward to be set out within the Financial Outturn 2022/23 report to Cabinet.
 - (ii) In line with Financial and Procurement Procedure Rules 7.7 to 7.11 and 8.12, any successful grant applications in respect of capital projects will be added to the Council's approved Capital Programme on an ongoing basis.
 - (iii) Capitalisation opportunities and capital receipts flexibilities will be maximised, with capital receipts earmarked to minimise revenue costs.

119. UPDATE ON THE TOWNS AND VILLAGES FUND

Consideration was given to the report submitted which detailed that the Towns and Villages Fund was a £4m capital programme, aiming to improve the Borough's local town and village centres. The first 6 projects were approved by Cabinet in January 2022, and this report provided an update on those projects, as well as setting out the plan for delivering the next phases of the programme.

It was clarified that the Brinsworth project had not yet commenced. Conducting consultation on the projects had proved beneficial, meaning that local residents were more aware of what was happening within their area.

Resolved:

1. That Cabinet notes the progress made on the first phase of the Towns and Villages Fund.
2. That Cabinet endorses the approach to the future phases of the programme, as detailed in the report.

120. DECEMBER FINANCIAL MONITORING REPORT 2022/23

Consideration was given to the report which sets out the financial position as at the end of December 2022 and forecast for the remainder of the financial year, based on actual costs and income for the first 9 months of 2022/23.

As of December 2022, the Council currently estimates an overspend of £8.4m for the financial year 2022/23. This is a £1.1m improvement on the November position reported to Cabinet in January 2022.

These additional costs could not have been projected within the Council's Medium Term Financial Planning. The Council would ensure that the short-term savings were delivered.

Resolved: That Cabinet:

1. Notes the current General Fund Revenue Budget forecast overspend of £8.4m.
2. Notes that actions would continue to be taken to reduce the overspend position but that it was expected that the Council would need to draw on its reserves to balance the 2022/23 financial position.
3. Notes the receipt and planned use of the Adult Social Care Discharge Grant (£1.121m).
4. Notes the updated Capital Programme.

121. BUSINESS RATES DISCRETIONARY RELIEF RENEWALS IN 2023/24

Consideration was given to the report which was to consider the renewal applications for the awards of Discretionary Business Rate Relief for the organisations and premises listed in Appendix 1 of the report. This was in accordance with the Council's Discretionary Business Rates Relief Policy (approved by Cabinet on 12th December 2016).

It was clarified that this discretionary relief was given when the property was used wholly or mainly for charitable purposes by a charity or other non-profit body whose main objects were charitable or benevolent, or concerned with education, social welfare, science, literature or the arts.

Resolved:

1. That Cabinet approve the applications for Discretionary Business Rate Relief for the organisations listed in Appendix 1 of the report submitted and in accordance with the details set out in Section 6 to this report, for the 2023/24 financial year.

122. HOUSING REVENUE ACCOUNT RENTS AND SERVICE CHARGES

Consideration was given to the report submitted which was seeking approval for the proposed values of the housing rents, non-dwelling rents, District Heating and service charges and the draft Housing Revenue Account (HRA) Budget for 2023/24.

The report was also considered alongside the HRA Business Plan report for 2023/24.

The plan was refreshed annually so that it remained responsive to changes in the economic climate, policies, or national government changes. The key priorities that influenced the plan remained largely as they were previously. These were:

- Investing in future housing growth.
- Replacing homes lost through Right to Buy.
- Maintaining Decent Home standards and service standards.
- Ensuring compliance to statutory functions, part of which was achieving energy performance C across the housing stock.
- Sustaining the current levels of investment in front line services.
- Safeguarding and supporting the most vulnerable tenants.

A critical consideration of the plan was to set the rents at a level to enable the Council to meet those priorities.

The introduction of the social rent cap had set rents at a maximum of 7%.

The proposal within the report was that dwelling rents were increased by 7% which included shared ownership. A 6% increase to service charges, which included garages and parking.

For district heating there was a £1.65m cushioning on the proposed increase which was proposed to increase in-line with national Government's proposed dual fuel cap.

The Leader reflected on the pressures within the housing budget. There was a reluctance to increase rents by 7%, however, the same pressures, such as fuel increases, applied. The Council had an ambitious housing programme. It was highlighted that most tenants would be protected from the increases due to other measures already in place.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-decision scrutiny process. The Board had reviewed both items together and raised concerns regarding the cost-of-living crisis, in particular around the rent and service charges. Additional recommendations were proposed, which were as follows:

1. That Cabinet be advised that the recommendations be supported.
2. That consideration be given to whether additional measures, such as tenancy advice and support, could be introduced to mitigate the impact of rent increases for residents who are particularly vulnerable to changes in rent levels (for example recipients of Personal Independence Payments and Disability Living Allowance for children).
3. That consideration is given to developing a communication strategy, including drop-in sessions, to raise awareness of changes to the district heating charges and support available to households.

In terms of the HRA Business Plan it was confirm that the Overview and Scrutiny Management Board supported those recommendations.

Resolved: That the Cabinet noted the content of the report and recommended to Council:

1. That dwelling rents are increased by 7% in 2023/24 (Option 1) in line with the latest Government policy on rents for social housing which caps rent increases to 7% for 2023/24.
2. That shared ownership rents are increased by 7% in 2023/24 (Option 1) as per the increase on Council dwelling rents.
3. That there is a 6% increase in charges for garages and parking spaces, communal facilities, cooking gas and use of laundry facilities.
4. That Cabinet note the £1.65m 'cushioning' effect that the Council has put in place through the District Heating Scheme in 2022/2023 rising to £2.593m for 2023/2024 subject to recommendation 6 below.
5. That the Council retain the Energy Bill Relief Scheme amounts to offset some of the deficit incurred in cushioning tenants from energy price rises.

6. The unit charge per Kwh is increased by 186.43% and weekly prepayment charges are increased by 44% to 150%, depending on property size, for District Heating Schemes in 2023/24 (Option 1) to enable the Scheme to break even in the long term.
7. Approve the draft Housing Revenue Account budget for 2023/24 as shown in Appendix 2.
8. That the Council retain the policy of realigning rents on properties at below formula rent, to the formula rent level when the property is re-let.
9. That consideration be given as to whether additional measures, such as tenancy advice and support, could be introduced to mitigate the impact of rent increases for residents who are particularly vulnerable to changes in rent levels (for example recipients of Personal Independence Payments and Disability Living Allowance for children).
10. That consideration is given to developing a communication strategy, including drop-in sessions, to raise awareness of changes to the district heating charges and support available to households.

123. HRA BUSINESS PLAN

Consideration was given to the report which explained that the Council was required to produce an Housing Revenue Account (HRA) Business Plan setting out its investment priorities over a 30 year period. The report also provided a detailed technical overview of the current position and the reason for changes to the Business Plan.

The report was also considered alongside the Housing Revenue Account Rents and Service Charges 2023/24.

The plan was refreshed annually so that it remained responsive to changes in the economic climate, policies, or national Government changes. The key priorities that influenced the plan remained largely as they were previously. These were:

- Investing in future housing growth.
- Replacing homes lost through Right to Buy.
- Maintaining Decent Home standards and service standards.
- Ensuring compliance to statutory functions, part of which was achieving energy performance C across the housing stock.
- Sustaining the current levels of investment in front line services.
- Safeguarding and supporting the most vulnerable tenants.

A critical consideration of the plan was to set the rents at a level to enable the Council to meet those priorities.

The introduction of the social rent cap had set rents at a maximum of 7%.

The proposal within the report was that dwelling rents were increased by 7% which included shared ownership. A 6% increase to service charges, which included garages and parking.

For district heating there was a £1.65m cushioning on the proposed increase which was proposed to increase in line with national Government's proposed dual fuel cap.

The Leader reflected on the pressures within the housing budget. There was a reluctance to increase rents by 7%, however, the same pressures, such as fuel increases, applied. The Council had an ambitious housing programme. It was highlighted that most tenants would be protected from the increases due to other measures already in place.

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 recommended to Council to:

1. Approve the proposed 2023-24 Base Case Option 1 for the HRA Business Plan.
2. Review the Plan annually to provide an updated financial position.

124. PLACE BASED INVESTMENT STRATEGY

Consideration was given to the report which presented the Rotherham Place Based Investment Strategy (PBIS) for approval. The Strategy responded to the South Yorkshire Mayoral Combined Authority's (SYMCA) creation of a single pot of funding, the 'South Yorkshire Renewal Fund', and provided the framework and principles to determine how the Renewal Fund may be used in Rotherham.

The report summarised the 8 themes which built on existing work including the Council's substantial Capital Programme.

The Leader noted that having everything in one document highlighted the scale of the projects being undertaken.

Resolved:

1. That Cabinet approve the Rotherham Place Based Investment Strategy.

125. ROTHERHAM CONSTRUCTION PROCUREMENT FRAMEWORK

Consideration was given to the report which sought authority to re-procure the fifth version of the Rotherham Construction Partnership (RCP) Framework Agreement. This would be advertised as RCP5, to provide access to a range of suitably qualified contractors to deliver a variety of building works projects.

It was clarified that various construction packages were included, and the Council's Social Value Policy would be applied.

Resolved: That Cabinet:

1. Approve the re-procurement of a framework of suitably qualified contractors to deliver a variety of building works projects as and when required for Rotherham and other Local Authorities and Public Sector Organisations.
2. Delegates authority to the Strategic Director of Regeneration and Environment, in consultation with the Cabinet Member for Jobs and the Local Economy and the S151 Officer, to enter into the resulting Framework Agreements with the successful contractors.

126. WAVERLEY MEDICAL CENTRE (OLIVE LANE) FUNDING AND DEVELOPMENT AGREEMENT

Consideration was given to the report which summarised the request by what was the Rotherham Clinical Commissioning Group (the CCG), now the South Yorkshire Integrated Care Board (ICB), for the Council to act as a 'Partner' to facilitate the development of a proposed new medical centre at the Olive Lane development within the new Waverley Community. The report detailed the reasons why the ICB had made the request and the issues arising in relation to the Council entering into the Funding and Development Agreement.

It was explained that once built the Council would lease the facility back to the provider and should the ICB gain the ability to hold the asset in the future, a proposal to transfer it could be considered.

Resolved: That Cabinet:

1. Approves the Council entering into the proposed Section 2 Funding Agreement and Development Agreement and the subsequent property lease agreements in order to facilitate the development of the proposed Medical Centre.

2. Authorises the Assistant Director for Planning, Regeneration and Transport, in consultation with the Assistant Director for Legal Services, to negotiate the terms and conditions of the Section 2 Funding Agreement, subject to final approval by the Section 151 Officer to facilitate the acceptance of funding and its subsequent distribution.
3. Authorises the Assistant Director for Planning, Regeneration and Transport, in consultation with the Assistant Director for Legal Services, to negotiate the terms and conditions of the proposed property leases, both as Landlord and Tenant, in order to comply with the Section 2 Funding Agreement.

127. CABINET RESPONSE TO SCRUTINY REVIEW - MARKETS: ENGAGEMENT AND RECOVERY

Consideration was given to the report submitted which responded to the recommendations from the Improving Places Select Commission spotlight review of Rotherham Markets carried out during 2022. The review examined the recovery and regeneration of the markets in Rotherham Town Centre.

It was clarified that work on a number of the recommendations was underway.

Resolved:

1. That the Cabinet response to the Scrutiny Review Recommendations – Markets: Engagement and Recovery be approved.

128. CABINET RESPONSE TO SCRUTINY REVIEW - CULTURAL STRATEGY

Consideration was given to the report which set out the proposed Cabinet response to the findings and recommendations from the spotlight scrutiny review which took place with Council Officers on the 2nd February, 2022. The summary of findings and recommendations from the meeting jointly undertaken by Improving Places Select Commission and Improving Lives Select Commission were presented to Cabinet on the 19th December, 2022.

Resolved:

1. That the Cabinet response to the Scrutiny Review Recommendations (as set out in Appendix 1) for the Cultural Strategy be approved.

129. 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.

130. DATE AND TIME OF NEXT MEETING

Resolved:

That the next meeting of the Cabinet be held on Monday, 20th March, 2023, commencing at 10.00 a.m. in Rotherham Town Hall.