

**THE CABINET**  
**Monday 7 August 2023**

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

**33.       DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

The first question was received from Farooq Tareen who explained he was a member of the Muslim Burial Council. He was astonished to read an article in the Star of 31 July 2023 in which Councillor Alam was quoted as saying “Last year in April there was a concern of water in one of the graves, so I came, had a look and told Dignity they needed to resolve this and put the drainage in”. The grave discussed belonged to his wife. He felt the words used in the article showed a lack of empathy and compassion and asked that this be passed on to Councillor Alam.

He also wanted to know, following the Clancy Report in 2020, why there had not been any move to employ a hydrogeologist to find out the source of water in the graveyard?

He also understood that the Environment Agency had objected to the planning application for the proposed area, which was adjacent to the cramped Muslim area on issues relating to water and had declared the site unsuitable for burial and Mr Tarren asked what the alternative was going to be.

The Leader gave his condolences on the passing of his late wife. He explained that Councillor Alam was working at an employment tribunal, which was the reason for him not being in attendance. He believed that if Councillor Alam had made a poor choice of language, then he would regret that.

The Monitoring Officer explained regarding the appointment of a hydrogeologist that it was understood from the Clancy Report that the water was being held in patches was due to the clay soil and so a hydrologist was not required.

The Leader addressed Mr Tareen’s concerns regarding the Environment Agency and the planning application explaining that he understood it was

being considered by the Council's planning officers and by the Planning Committee. He felt it was not unusual for the Environment Agency to express concerns about burial grounds however the planning process would decide if it was a suitable place for burials to take place.

In his supplementary Mr Tareen asked what the alternatives were if the planning permission was not granted?

In response the Leader indicated he would not speculate on alternative locations as consideration would need to be given a location where burials could take place that would be suitable for both the Muslim and non-Muslim communities.

The second question was from Mr Saghir Hussain who sought clarity on who was responsible for the cemetery at Herringthorpe. Was it the Council or Dignity? He felt there was a lot of confusion and felt the Council was speaking on behalf of dignity. He also queried who commissioned the Clancy report?

The Monitoring Officer explained that Dignity had commissioned the report and that he was answering based solely on the information contained within the report.

The Leader explained that Dignity was responsible for the operation of the crematorium and graveyards that fell within that contract, along with anything about the day to day running of those, the management of those and the commissioning of the long-term plans. Dignity had responsibility for delivering those things that were within the contract. The Council had responsibility to ensuring that the service was provided but on a day-to-day basis it was Dignity's responsibility.

In his supplementary Mr Hussain said he understood that the day-to-day operational side belonged to Dignity however this matter was not day-to-day, it was an actual subterranean issue and he sought clarification as to who was responsible?

The Leader explained that Dignity was responsible for that because it was around ensuring that the services provided were appropriate in a safe and sustainable way.

Mr Hussain went on to say that the issue was not one that had arisen in the last five years, it had been present for over two decades and was clearly evident in the graveyard. The matter had been there long before dignity arrived. RMBC had fitted systems to rectify the issue, but they were not fitted properly and there were still graves that were full of water. What was going to be done to address this?

The Leader reiterated that ensuring the graveyard functioned properly, that the graves were safe and appropriate and to a standard was the responsibility of Dignity through the contract. He was not aware of what

had happened prior to the contract but it was now Dignity's responsibility as per the contract. He had hoped that drainage had improved over the past year but if things still needed to be addressed then they needed to be raised with Dignity.

The next question was from Mr Arshed Azam who began by registering his disappointment as at the last meeting it was unanimously agreed to hold a joint meeting with all parties at the table. The responses he had received from officers to his questions were an adequate and he had been contacted a month ago regarding arranging a meeting that had still not taken place. He sought a commitment that a meeting would be arranged within a month.

The Leader understood a plan was in place for the meeting to take place, but asked the Monitoring Officer to ensure that within the next month there was an opportunity for a small group of people to come together to speak with officers and raise concerns.

The next question was from Nida Khan said that a lot of what they were saying at these meetings was based on information gained from professional reports. The Council had installed a drainage system and she believed there were no records of where it was installed. She felt that each time they attended a meeting nothing was resolved. She asked why the Council did not have records of the drainage system?

The Leader said he would refer this to the relevant service to understand what records were held on this matter.

Nida Khan also indicated that the community was concerns as there was only space for only 90 graves remaining and the community needed to know what would happen when they had been used?

The Leader explained that everyone wanted to ensure there was adequate burial spaces however he could not speculate where they would be provided. It was a priority that this was progressed however the planning process could not be rushed.

Councillor Bennett-Sylvester expressed his disappointment that the plans for Thrybergh County Park had been scaled back. He had been informed this was due to inflationary pressures and queried how much of the delay in completion was down to those pressures and what could be done to speed up the delivery of the project to avoid additional costs?

The Leader said there had not been any slow time in the development of the scheme and noted that the Council was delivering a capital programme on a scale not seen in Rotherham previously. The Council had been successful in securing government grants however the economic headwinds were against the Council. He gave his assurance that the Council would deliver as much of the scheme as possible to a high quality but within the available resources.

The Strategic Director of Regeneration and Environment explained that the principle of the scheme was around the new café facility with increased seating provision. The main aspects of the scheme still remained however the Council was seeing challenges due to inflation and market challenges in terms of materials, tendering processes etc.

In his supplementary Councillor Bennett-Sylvester noted that part of the long-term aim was a new play area and he queried what the knock-on effects would be if this was not delivered?

The Strategic Director of Regeneration and Environment noted that lots of proposals come forward when consulting with the community. Other funding bids may become available to enable this to be considered as a project in the future.

Another member of the public raised concerns regarding the new section of the graveyard and asked if there could be a clear consensus due to religious factors that a full 5-year plan be provided so the Muslim community were aware of future plans.

The Leader agreed there was a need to ensure there was adequate burial spaces. He would check and provide a response regarding the commissioning of a long plan from Dignity.

### **35. MINUTES OF THE PREVIOUS MEETING**

Resolved: That the minutes of the Cabinet meeting held on 10 July 2023 be approved as a true and correct record of the proceedings.

### **36. EXCLUSION OF THE PRESS AND PUBLIC**

The Chair advised that appendices to Minute numbers. 38, 39, and 41, contained exempt information, however, the meeting remained open to the public and press throughout.

### **37. SEND SUFFICIENCY UPDATE - ROWAN CENTRE**

Consideration was given to the report which followed previous reports to Cabinet relating to closing the Rowan Centre as a provision following a successful transition of pupils to Elements at Dinnington where their needs could be better met. The process according to the Department for Education guidelines was followed and at the previous meeting authority was delegated to the Strategic Director for Children and Young People's Service to seek formal expressions of interest to enhance the education provision in the borough by seeking a sponsor to establish some provision at the site.

Nexus MAT had been identified as the appropriate partner to take forward the use of the Rowan site. This would provide an improved pathway for

14–19-year-olds to access education along with vocational learning and skills for life.

It would improve the outcomes for children and people with SEND and aid to reduce the number of those not in employment, education or training. The proposal would also provide increased capacity within special educational needs provisions within Rotherham by 25 places from September 2023.

The Leader welcomed the ability to continue an education provision on the site.

The Assistant Director: Education and Inclusion noted that this was a culmination of different areas of the Council working in partnership. It was a new and innovative approach to defining provision to meet required needs. It would create a space that allowed growth with would be focused on the best outcomes for all.

A typographical error was noted in section 2.7 of the report which mentioned that *“Twenty-five places at Hilltop Special School will be available from Autumn term 2023 in phase 1 of the project development and a further twenty-five places will be created at Kelford Special School in phase 2 of the transition of pupils in spring term 2023.”* The year of the spring term mentioned was corrected to 2024.

Resolved: That Cabinet:

1. Approved the development of the Rowan site to create a new high-quality learning environment for 14-19 SEND students in the Rotherham area.
2. Approved the transfer of the building and funding release from Accessibility funding to support the development of the site to meet the requirement of the SEND needs of pupils.

### **38. ROTHERHAM MARKETS & CENTRAL LIBRARY**

Consideration was given the report which detailed the proposed redevelopment of the Rotherham Markets Complex and new library, located in the town centre of Rotherham. The markets complex was one of the most significant parts of the town centre and supported over 350 businesses. A key aspect of the scheme would be working with existing traders inline with the work carried out with the Improving Places Select Commission. It was highlighted that the Council was committed to supporting existing businesses along with attracting new ones.

The library proposal had been subject to lots of consultation and engagement as part of the new Library Strategy and people were supportive of moving the library to the town centre. It would make it more accessible particularly if travelling in by bus.

It was noted that the Council was determined to see the proposal through. The scheme was a key part of the Council's Master Plan.

The Strategic Director of Regeneration and Environment highlighted that section 2.4 of the report highlighted the work that was in front of Cabinet which would enable work to be on site. The full scheme, in terms of design and costing was scheduled to be presented to Cabinet later that year.

The report was considered by the Overview and Scrutiny Management Board (OSMB), who queried what lessons, if any, had been learned from neighbouring authorities. OSMB were assured that both positive and negative lessons had been taken on board. The relocation of the library was welcomed as it would be located close to its original location, which is where the main footfall was. OSMB reviewed the report and supported the recommendations.

The Leader noted the scale of the scheme proposed for the town centre and welcomed the investment and was keen for the redevelopment to commence as soon as possible.

Resolved: That Cabinet:

1. Noted the progress to date on Rotherham Markets and Library redevelopment.
2. Approved the enabling works for the Rotherham Markets and Library development, as detailed in Appendix 2 of this report.
3. Delegated 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 award contract(s) for the works up to the values detailed in Appendix 2.

### **39. DINNERINGTON PROJECT: CAPITAL REGENERATION GRANT**

Consideration was given to the report which noted that the Council had worked closely with MP's, Ward members and the Town Council as part of the bid submission. The scheme in Dinnington would address the blight in the town centre and boost the local economy. The funding would bring privately owned derelict buildings into public sector ownership enabling the creation of a new town square, with purpose built commercial units to diversify the local offer. It was a really exciting scheme.

The Leader noted that this investment sat alongside a suite of other investments in local centres. It was a huge piece of work to ensure those physical improvements across the borough and the proposal was welcomed. He noted that there would be inflationary pressures associated with the scheme which was also replicated across all other

schemes. Funding had been set aside as part of the towns and villages work to support Dinnington and Wath. The funding was still available, and it was expected that some of it would be used as the schemes progressed to ensure the community benefited in the best way possible.

A technical note regarding recommendation number four regarding the delegation to the Assistant Director for Planning, Regeneration and Transport on the acquisition, he clarified that those acquisitions would be within the overall budget that Cabinet agreed for the scheme. The precise prices paid would depend on the valuation given at that time.

Councillor Roche welcomed the project and the benefits it would provide.

Resolved: That Cabinet:

1. Approved an allocation of £11,049,547 to the Dinnington project from the Principal Areas of Growth allocation.
2. Agreed to the development of 'Principal Areas of Growth' projects in Dinnington with further detail provided to Cabinet before commencement of the Scheme.
3. Delegated the commissioning of the design of the project based on the parameters in section 2.2 to the Strategic Director for Regeneration and the Environment in consultation with the Cabinet Member for Jobs and the Local Economy and the Section 151 Officer.
4. Approved that the Assistant Director for Planning, Regeneration and Transport be authorised to negotiate and agree the acquisition by agreement of the property interests at exempt Appendix 1, in consultation with the Council's Section 151 Officer and the Cabinet Member for Jobs and the Local Economy.
5. Approved to grant a Resolution in Principle to investigate the use of Compulsory Purchase Order powers: in the event that terms cannot be agreed in relation to all or any of the property interests or cannot be agreed within the prescribed timeframe. A further report to be submitted to Cabinet seeking a formal resolution to acquire those property interests through the exercise of the Council's Compulsory Purchase Powers.

#### **40. GENERAL ENFORCEMENT POLICY**

Consideration was given to the report which set out how the Council approached its regulatory responsibilities. This was achieved through the General Enforcement Policy which was in accordance with the regulatory code set out nationally by Government. The Policy was regularly reviewed by Cabinet and adopted. The main changes to the document centred around data protection and adhering to national surveillance legislation and

frameworks.

Consultation had been undertaken on the document, with internal partners across different services and with the charity sector and police along with others who would have cause to be involved.

Resolved: That Cabinet approved the revised General Enforcement Policy, which will be published in accordance with the Regulators Code (statutory guidance published by the Department for Business Innovation and Skills), a requirement of The Legislative and Regulatory Reform Act 2006.

#### **41. ROTHER VALLEY COUNTRY PARK AND THRYBERGH COUNTRY PARK LEVELLING UP FUND AND IMPLEMENTATION**

Consideration was given to the report which sought approval for the implementation of the Levelling Up fund projects at Rother Valley Country Park and Thrybergh Country Park. It represented the continued commitment to green spaces in Rotherham whilst ensuring the public had access to spaces to be active and to relax.

Both Thrybergh and Rother Valley Country Parks were well used by local people and were well visited by people outside of the borough along with providing space for people who organise activities within those parks.

The investment at Thrybergh Country Park would see a new café with a greater seating capacity both indoors and outdoors. The investment at Rother Valley Country Park would see a new waterside café, enabling visitors to enjoy the views. This would also be enhanced by a new children's play area adjoining the new café. It would also include an events space. Improvements would be made to the car parking space including the provision of new spaces to enhance the overall visitor experience.

Consultation was undertaken with ward councillors, staff in the country parks, key stakeholders, local businesses and those who use the parks.

Councillor Beck welcomed the commitment to green spaces within the borough, in particular the investment to Rother Valley Country Park.

Councillor Lelliott expressed appreciation for the government funding received but noted it was not enough, however thanks to the hard work of officers putting funding bids together for the scheme, it was testament to their hard work and commitment to the authority along with their partnership working across directorates to ensure it was a good scheme to benefit the people of Rotherham.

Resolved: That Cabinet:

1. Approved the implementation of the Levelling Up project at Rother



Valley Country Park as shown at Appendix 1, 2 and 3.

2. Approved the implementation of the Levelling Up project at Thrybergh Country Park as shown at Appendix 1,2 and 4.
3. Approved the proposals to mitigate the funding gap as set out in Appendix 1.
4. Requested that a further report on the regeneration plans for both sites be presented within 12 months.

#### **42. MALTBY PROJECT (TOWNS & VILLAGES FUND)**

Consideration was given to the report which noted that the Towns and Villages Fund was a £4m Capital Programme, aiming to improve the Borough's local town and village centres. Four phases of work, delivering twenty-two schemes were allocated £3.177m in January 2022, with £823,000 left unallocated. This report provided an update on the proposals being developed for Maltby and provided options on the next steps for the twenty-third scheme within the programme.

It was important to note that the locations for the schemes and their detail was derived from ward members working with their communities and their neighbourhood teams to identify the local priorities.

The report proposed that the unallocated £823,000 be allocated to Maltby. It was explained that some pre-design work had been undertaken which resulted in the Maltby High Street development proposal. The priorities identified for the scheme were pedestrian access, hard and soft landscaping, street furniture and defining the high street. It was expected that those schemes would be delivered using internal schemes wherever possible.

Consultation on the proposals would be undertaken throughout the summer and initial engagement with ward members had already begun. There would be some wider stakeholder engagement with external partners.

The Leader noted that Maltby had been a priority within the scheme. Maltby high street was a large space that needed a lot of investment. He noted that seven schemes had been delivered through the Towns and Villages Fund, with two or three being delivered. He welcomed a prompt delivery of the scheme to benefit the community in Maltby.

Resolved: That Cabinet:

1. Noted the continued progress on the Towns and Villages Fund.
2. Allocated up to £823,000 to the scheme in Maltby East and delegates the delivery of the scheme to the Strategic Director of Regeneration and Environment, in consultation with the Deputy

Leader and Cabinet Member for Neighbourhood Working.

#### **43. UK SHARED PROSPERITY FUND - YEARS TWO AND THREE**

Consideration was given to the report which was the UK Shared Prosperity fund prospectus for years two and three. He explained that following Brexit, the Government committed to ensuring they continued regional funding under the name of the UK Shared Prosperity fund.

In terms of developing the proposed the first thing considered was what were the EU funded schemes that the borough already benefited from, particularly in terms of business support and skills to ensure that the Council was not disadvantaged, that it was not losing out on some of the work already being carried out across the borough.

The theme around this was how the Council could use the money to advance a more inclusive economy. This meant creating more indigenous businesses, more locally owned businesses creating wealth in the communities, including creating jobs for local people.

He welcomed that in line with the Council's commitment to a real living wage there was a desire to encourage those businesses to increase the rate of pay for those at the bottom end of the income scale.

It meant the Council would go further with its social value commitments to ensure local businesses were better able to access public procurement and benefit from the work that was created by the public sector spending in the borough.

It meant doing more to help local people to access job opportunities, with a set of skills proposals that would help people of all aspects meaning no one was left behind. This would enable support to be placed within the communities and for it to remain over the next two years.

He felt it was a good package of measures that would help people to move forward.

The Assistant Chief Executive explained the summary of proposals in appendix two included a list of anticipated impacts. A more detailed proposals would be developed, if approved, to clarify those impacts both in terms of outputs and outcomes for the community.

The report was considered by the Overview and Scrutiny Management Board (OSMB) who welcomed the standalone report covering years two and three. During its debate OSMB considered how the priorities were chosen, how the impacts were measured, and anticipated impacts and whether the proposal was ambitious enough. OSMB requested to receive an update report before the end of the municipal year. OSMB supported the recommendations.

Councillor Sheppard echoed comments raised regarding the employment solutions which had an effect on people's lives, working with people who were either a long time away from the working environment or were not able to access work. He also mentioned the value from the creation of 40 paid traineeships, and 70% of those going through a six-month traineeship were now either in education or paid employment.

Resolved: That Cabinet:

1. Endorsed the projects for submission to South Yorkshire Mayoral Combined Authority for award of UKSPF for 2023/24 and 2024/25 as follows:

- a) Local Business Support
  - i) £1,693,727 for sub-regional business support supporting three strands of "Launchpad" (start-up support); productivity and low carbon.
  - ii) £234,870 capital for Rotherham's business incubation centres.
  - iii) £234,482 for social value to coordinate and enhance social value activity, focused on increasing local spend through anchor organisations' procurement activity.
  
- b) People and Skills
  - i) £1,291,013 for Rotherham integrated skills programme (RISP) providing four projects covering the journey from initial engagement with those hardest to reach, through to sustainable employment and career progression.
  - ii) £421,502 for Children's Capital of Culture to extend and expand the traineeship programme with further capacity building support for partners.
  
- c) Communities and Place
  - i) £471,664 for Children's Capital of Culture, including investment in existing and new events and festivals across the Borough, building capacity in community organisations and groups and creating more resilient models for grass roots programmes.
  - ii) £370,094 for Open Arms Rotherham phase 2 for ongoing delivery of fortnightly one-stop shop sessions, in targeted neighbourhoods and further development of community infrastructure, including community leaders.
  - iii) £100,000 for Reaching Out Across Communities, establishing local equality networks to ensure that current and future interventions are informed by and effectively reach all of Rotherham's diverse communities.
  - iv) £280,000 for town centre events to deliver a regular

- programme and increase footfall.
- v) £1,068,709 for the visitor and leisure economy, supporting the delivery of capital schemes across Rotherham, focused on major attractions, increasing visitor numbers, and improving skills
- vi) £80,000 capital for Active Lives, creating additional multi-sport play zones in local communities.
  
- d) Rural
  - i) £200,000 for a small grants programme for rural businesses supporting rural micro and small enterprises and tourism and the visitor economy.
  
- 2. Agreed to delegate authority to the Assistant Chief Executive in consultation with the Leader of the Council to determine revised and final allocations for the UK Shared Prosperity Fund, including allocation of funding to the three capital schemes within the 'visitor and leisure economy' proposal. This is to include provision for other eligible actions within the use of the fund should it not be possible to achieve full spend of the grant through the allocations above.
  
- 3. That a further report to provide to OSMB in 6 months' time indicating how the impact has been measured and monitored.

#### **44. DATE AND TIME OF NEXT MEETING**

Resolved: That the next meeting of the Cabinet be held on Monday 18 September 2023, commencing at 10am.