

**CABINET/COMMISSIONERS'
DECISION MAKING MEETING
13th March, 2017**

Present:- Councillor Read (in the Chair); Commissioner Sir Derek Myers, Commissioner Julie Kenny, Councillors Alam, Beck, Hoddinott, Lelliott, Roche, Watson and Yasseen.

Also in attendance was Councillor Steele, Chairman of the Overview and Scrutiny Management Board, along with Councillors Cowles and B. Cutts.

Apologies for absence were received from Commissioner Bradwell and Commissioner Ney.

181. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

182. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

183. MINUTES OF THE PREVIOUS MEETING HELD ON 13 FEBRUARY 2017

Resolved:- That the minutes of the Cabinet and Commissioners' Decision Making Meeting held on 13th February, 2017, be agreed as a true and correct record of the proceedings.

184. TOWN CENTRE REGENERATION - STRATEGIC ACQUISITION OF THE FORMER ROTHERHAM MAGISTRATES COURTS

Consideration was given to a report which sought approval for the acquisition of the former Magistrates Court building in Rotherham from Her Majesty's Court and Tribunal Service (HMCTS) in order to support the Council's strategic objectives for the regeneration of the town centre.

The Homes and Community Agency (HCA) dealing with the building on behalf of HMCS notified the Council it would be willing to transfer the ownership of the building to the Council, at a £1 consideration, so long as the transfer was complete by the 31st March, 2017.

The site of the Magistrates Court formed part of a much larger development opportunity which included Forge Island, the Weirside site and Riverside Precinct. The emerging Town Centre masterplan identified this larger strategic site as an opportunity for the Council to transform this part of town and it was for this reason that Option 1, of three options, was proposed and would allow for the delegation to the Strategic Director of Regeneration and Environment should it be considered necessary for the building to be demolished.

Commissioner Kenny stressed the regeneration importance of this site and agreed:-

1. That the acquisition of the former Rotherham Magistrates Courts under the terms detailed in this report be approved
2. That the option to demolish the building be delegated to the Strategic Director of Regeneration and Environment, in consultation with the Cabinet Member for Jobs and the Local Economy and Commissioner Kenny.
3. That the Assistant Director of Legal Services be authorised to negotiate and complete the necessary legal documentation to enable the transfer of the building.
4. That funding for the costs associated with the acquisition of the building and the potential demolition be taken from the approved £17m town centre allocation in the Capital Strategy 2016-2021.

185. PROPERTY DISPOSAL SCHEDULE

Consideration was given to the report which sought approval for the disposal of a number of low value property assets namely 52 Allendale Road, Rotherham and garden land sale at 44 Danby Road, Kiveton Park,

Further information was provided on each of the property assets, key issues and the options for consideration.

Commissioner Kenny agreed:-

1. That the disposal of the property assets detailed in this report be approved.
2. That the Assistant Director of Planning, Regeneration and Transport be authorised to negotiate the disposal of the assets using the appropriate method.
3. That the Assistant Director of Legal Services completes the necessary legal documentation for the disposal of the assets.

186. SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) TARGETED CAPITAL FUNDING

Pursuant to Minute No. 66 of the meeting of the Cabinet and Commissioners held on 11th April, 2016 consideration was given to the report which detailed the direction of travel for this funding and requested authorisation for the release of some smaller amounts to support the work that has already begun.

£500,000 had been allocated from the CYPs Capital Programme 2016/17 and approved to be spent to improve the buildings for the provision of services to children with Special Educational Needs and Disability (SEND). Having completed an initial consultative sufficiency study areas had been identified for immediate development. Further work on the sufficiency of provision for the future was already commissioned and would report in April, 2017.

Resolved:-

1. That up to £90,000 be released to the Social, Emotional and Mental Health (SEMH) Partnerships (up to £30,000 to each of three partnerships in the secondary sector).
2. That up to £90,000 be released to the SEMH Partnerships (£30,000 to each of three partnerships in the primary sector).
3. That it be noted that the funding will be taken from the approved £500,000 capital programme allocation for the SEND provision.

187. PROPOSAL TO INCREASE CAPACITY AT WATH COMPREHENSIVE SCHOOL

Consideration was given to the report which sought approval to increase capacity at Wath Comprehensive School to accommodate the current and future demand for places, subject to a successful planning application and would increase numbers to an additional thirty students for each year group.

The school had experienced a significant increase in pupil numbers in recent years and remained both successful and popular. The school was currently oversubscribed and the trend was set to continue in future years, but with effective planning student places would be allocated where needed and continue the trend of 94% of pupils achieving their first choice of school. Appendix 1 detailed current pupil numbers and capacity at the school.

Resolved:-

1. That subject to a successful planning application, approval be granted to the proposal to increase capacity at Wath Comprehensive School by the installation of additional teaching and learning spaces to increase capacity by 150 places to accommodate current and future pupil numbers.
2. That £1.3m of the £2.5m earmarked funding for increasing secondary school places in the Borough in 2017/18 approved by the Cabinet/Commissioners Decision Making Meeting of the 11th April 2016, be allocated to fund the proposed project at Wath

Comprehensive School and that this expenditure be re-profiled into 2018/19 to reflect the construction programme for this project.

188. GENERAL ENFORCEMENT POLICY - MINOR AMENDMENTS

Consideration was given to the report which referred to the adopted General Enforcement Policy.

Following work to strengthen the Council's enforcement functions, the General Enforcement Policy had been reviewed in order to ensure that the Policy remained up-to-date.

This report, therefore, requested the approval of a number of minor amendments within the Policy which, together with enhanced clarity, reflected the Council's progress since the review and update of 2016 and referred to:-

Update 1: Structural Changes

Update 2: Restoration of Licensing powers to the Council

Update 3: Clarification of the flexibility contained within the Regulator's Code which allowed officers to vary from the Policy and enforce at a later date.

Resolved:- That the suggested amendments to strengthen the Council's General Enforcement Policy made at 4.2, 4.3 and 4.4 of this report be approved for adoption.

189. REGENERATION AND ENVIRONMENT FEES AND CHARGES

Consideration was given to a report which detailed the proposed fees and charges for the Regeneration and Environment Directorate for 2017/18 and beyond and were reflected in the budget savings proposals included in the Council's Budget and Council Tax setting report, which were approved by Council on the 8th March, 2017.

The charges for each service within Regeneration and Environment were presented in Appendices 1 – 9. Where no increases were proposed to charges in 2017/18, charges would remain at the amounts approved by Cabinet and Commissioners' Decision Making Meeting on the 14th March, 2016. Within the proposed fees and charges, the following changes were specifically highlighted:-

- **Planning and Building Control Service** – proposals to introduce a new charge for property addressing.
- **Leisure and Green Spaces** - Fees and charges have been reviewed in the context of the known demand for individual services. As a result, a number of charges have been held at existing levels and others have been increased by at least the rate of inflation.

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Charges are applied for the 2017/18 financial year; however, there are several exceptions to this:-

- Charges for Wedding Packages in Clifton Park for 2017/18 and 2018/19.
 - Car parking tariff at Clifton Park for over 3 hours during the summer and for the remainder of the year have been increased to reflect demand for this service.
 - Allotment rents giving tenants twelve months' notice of any increase.
- **Building Regulation Charges** – Building Control Application Fees have been reviewed and were proposed to be increased for the first time since April 2014.
 - **Market Service and Borough Fairs Charges** – Market Service charges have been, but it was recommended that rents for the Centenary Market Hall remain frozen for 2017, to ensure that the Market Service remains competitive and attractive to new businesses. However, an increase of £2.10 (10.6%) for Tuesday Street Market Casual Traders was proposed, to reflect the popularity of this market. In addition, in respect of Borough Fairs Charges, Appendix 4b, a 5% increase was proposed, to reflect the fact that charges have been frozen in recent years.
 - **Community Protection Charges** – Changes to the Housing Licensing fee structure were made in 2016/17. With the exception of charges for Houses in Multiple Occupation (HMO), which would increase by 1% to reflect salary cost increases, it was not proposed to increase any of the other charges in this area.

Consultation Fees would be at the appropriate hourly rate for the officer carrying out the work.

- **Library, Customer Services, Theatre Services and Heritage Services** - Heritage Services' charges would largely remain static in order to improve take up of these services.

Registration Services were able to set fees on a cost recovery only basis, for any non-statutory services they delivered and an increase was proposed from 1st April 2017.

No changes to fees and charges proposed for Library and Customer Services.

Theatre Services' fees and charges applied to theatre hire, equipment hire, specialist additional staffing support and ticketing, but negotiation of professional contracts would continue, with a £1 ticket fee for professional show bookings, to recover administration costs.

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- **Commercial Waste Charges** – Proposed to increase commercial waste charges by 2.5%.
- **Business Regulation Charges** - Proposed that the fees for 2017/18 were increased in line with the 1% increase in staffing costs across the service.
- **Pest Control Fees** – The proposed fees have been set and were across a range of pest control.

It was suggested that officers be given flexibility on prices charged in respect of areas of commercial activity, to allow the Council to retain and attract business, where necessary, and include promotional discounts and negotiate individual charges to meet the needs of the business.

It was also noted there were no proposals to increase fees and charges for Highways Services, Parking Services, Licensing and for the hiring of directly managed community buildings. A review of these charges would be undertaken in 2017/18 and proposals for 2018/19 brought forward in due course.

This report was considered by the Overview and Scrutiny Management Board at its meeting on the 3rd March, 2017 and was supportive of the recommendations to Cabinet. It was also requested that a report detailing progress in respect of full cost recovery be submitted to the Board in September, 2017.

Resolved:-

1. That the following be approved:-
 - Fees and charges for the Planning and Building Control Service as set out in Appendix 1.
 - Fees and charges for Leisure and Green Spaces as set out in Appendix 2.
 - Building Regulation charges as set out in Appendix 3.
 - Market Service and Borough Fairs Charges as set out in Appendix 4.
 - Community Protection charges as set out in Appendix 5.
 - Library, Customer Services, Theatre Services and Heritage Service charges as set out in Appendix 6.
 - Commercial Waste charges as set out in Appendix 7.
 - Business Regulation charges as set out in Appendix 8.
 - Pest Control charges as set out in Appendix 9
2. That, subject to the approval of the Strategic Director of Regeneration and Environment or the appropriate Assistant Director within Regeneration and Environment, officers be given flexibility on prices charged in respect of areas of commercial activity, to allow the Council to retain and attract business where necessary.

3. That, subject to the approval of the Strategic Director of Regeneration and Environment or the appropriate Assistant Director within Regeneration and Environment, officers be given flexibility to introduce promotional discounts and negotiate individual charges to meet the needs of the business.
4. That a report detailing progress in respect of full cost recovery be submitted to the Overview Scrutiny Management Board in September, 2017.

190. FINANCIAL INCLUSION PLAN FOR ROTHERHAM COUNCIL TENANTS

Consideration was given to the report which sought authority to approve the Financial Inclusion Plan for Council tenants given that there were a significant number of Rotherham Council tenants who did not have a bank account and financially excluded.

There were many barriers which prevented access to basic financial services and this plan aimed to remove those barriers, support people to become more independent and to take control of their own finances. It was evident that by improving financial capability and confidence this would contribute to reducing poverty, improving health and educational attainment as well as increasing skills and employability.

The plan would not stand alone to deliver solutions, but recognised that a co-ordinated approach bringing Council services, partners and agencies together would be more cost effective and achieve greater success in providing tenants and residents with the support required to enable them to access the benefits basic financial services could provide.

The plan would be implemented by housing staff in the remodelled Housing Income Team and Council Housing Allocation Officers.

Following further development of the corporate approach to tackling poverty it was intended to learn from implementation of the tenants Financial Inclusion Plan and where appropriate align resources and offer services irrespective of tenure.

This report was considered by the Overview and Scrutiny Management Board at its meeting on the 3rd March, 2017 and whilst was supportive of the recommendations to Cabinet some questions were raised over the sustainability of the plan if costs and rent arrears continued to increase and rental income declined. On this basis it was requested the Improving Places Select Commission monitor the implementation of the scheme.

Questions were also asked of the financial responsibility work with credit unions and confirmation received that work was already taking place to access to banking services.

Resolved:- That the Financial Inclusion Plan for Housing be approved for the period 2017 to 2020.

191. STRATEGIC ACQUISITIONS, QUEENS AVENUE, KIVETON PARK

Consideration was given to the report which sought approval to purchase nine x 2 bedroom houses and three x 2 bedroom bungalows at Kiveton Park from Redmile Homes. These properties were Section 106 planning gain units and would be purchased by the Council at approximately 58% of the open market value.

The forecasted completion dates were August 2017 for the houses and spring 2018 for the three bungalows. There was evidenced demand for both houses and bungalows in this location and resources were available in the Strategic Acquisitions budget.

This was part of an ongoing programme of acquisition of new Council homes to replace properties sold under "Right to Buy" and maintained stock levels.

Resolved:- That the purchase of twelve homes at Queens Avenue/Carlton Gate Drive, Kiveton Park from Redmile Homes, using the Housing Revenue Account Strategic Acquisition budget be approved.

192. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That under section 100(A) of the Local Government Act 1972, the Public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to information) (Variation) Order 2006.

193. RATES RELIEF FOR POTENTIAL COMPANY INVESTMENT

Consideration was given to the report which set out in detail an application for rates relief, under Section 69 of the Localism Act 2011, for a new potential investor to the borough.

Resolved:- That a six month relief from business rates payments in the second year of occupancy, subject to the creation of 50 FTE posts in year one, be approved.