

THE CABINET
18th March, 2024

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

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

Apologies for absence were received from Councillors Brookes and Sheppard.

151. DECLARATIONS OF INTEREST

There were no declarations of interest.

152. QUESTIONS FROM MEMBERS OF THE PUBLIC

1. Henry Marston asked a question in relation to Herringthorpe Playing Fields and the potential development of houses by Rotherham Council. He firstly thanked Councillor Allen for her correspondence on the matter following his questions at previous Cabinet meetings. He stated that the Herringthorpe Playing Fields Community Group would welcome a meeting to discuss the wider issues. Mr Marston stated that the legal issues needed to be resolved before a lot of money was spent designing the project which could need significant revisions afterwards.

Mr Marston wanted to place on record his thanks to Mr Lilleker and Councillor Yasseen for their work on this matter.

Mr Marston made reference to the history of the playing fields and the agreements with the National Playing Fields Association/ Fields in Trust and Carnegie UK Trust. He stated that the fields were to be held in perpetuity for recreational uses. This agreement was made in 1928, before smaller pieces of land were later added in the 1930's. Mr Marston stated that the restrictions therefore clearly applied to the proposed development site. The agreement was put into statute in S.9(3) Rotherham Corporation Act 1928 and the land included the depot and nursery area as well as the site of the old pavilion. The depot and nursery were ancillary features that supported the playing fields and were therefore acceptable as legitimate parts of the land designated for use as playing fields. Transferring the land from department to another within the Council did not affect the lands legal status. Grants had been paid to the Council and it was therefore clear that discussions were required with F.i.T and Carnegie for the proposed change of use. Mr Marston stated that in 2008, a Council officer was informed by F.i.T. that the contract between National Playing Fields and the Council required this consent for a change of use.

Mr Marston asked Councillor Allen what the position was with regarding to discussions with F.i.T and Carnegie UK with respect to the proposals for the proposed development?

Councillor Allen firstly thanked Mr Marston for being this matter to the Council's attention as it was important they had the correct legal position. However, Councillor Allen confirmed that the Council had looked at the 1928 Act, but no associated plans had been identified. It therefore remained the view of the Council that the area proposed for development was not subject to any restrictions. Councillor Allen stated that it would have been helpful for these matters to have been raised when the Local Plan was being consulted upon. It remained the Council's position that there were no covenants on the land and the proposed development was in accordance with the Local Plan.

It was confirmed that officers were continuing to investigate Mr Marston's claims on behalf of the local community. Should the development proceed, the Council would want to involve the community and Ward Councillors in the design considerations for the site.

In his supplementary question, Mr Marston stated that the land was bought for £120 per acre and if sold for housing, each plot of land would have money associated with it. Mr Marston asked what the Council would do with the profits from the sale?

Councillor Allen confirmed that a meeting would be arranged to discuss the topic further.

2. Mezzmel Hussain asked a question regarding the Council's flag flying decisions. The Council had stated that it followed government guidance regarding flag displays. However, this was not mandatory as shown by the York and Leeds Councils non-display of the Israeli flag. Ms Hussain therefore asked if the Council would raise the Palestinian flag as an act of solidarity like it did with the Ukrainian flag, particularly as over 4000 residents had signed the petition requesting this?

The Leader explained that the Israeli flag was raised following the terrible terrorist attacks in October 2023, as did a majority of Councils and public buildings across the country. The Council did this after major terrorist attacks across the world such as the Paris attacks and the Brussels attacks. That was in keeping with the agreed protocols. At the moment, there had been no guidance around flying the Palestinian flag but that was not to say that there would not be at some point in the future. The Leader explained that he was not aware of any Council's flying the Palestinian flag at the moment.

In her supplementary, Ms Hussain asked why it would take so long for the Council to decide whether to fly the Palestinian flag?

The Leader reiterated that the Council acted within the guidance provided to them by the Government as did Council's everywhere. They were conscious of the strength of feeling on both sides of the arguments in terms of flying the Palestinian flag. It was not standard practice to fly flags related to wars, the exception being the war in Ukraine.

3. M Ashraf asked a question regarding the comments made by the International Criminal Court (ICC) in relation to Israel. The ICC had ruled that Israel were breaking international law in a manner tantamount to genocide. In Rotherham, the community petition on Palestine received overwhelming support from residents gathering almost 4000 signatures. In light of those two facts, Mr Ashraf asked the Cabinet to demand that the local MP's represent the will of Rotherham residents and demand that the Government end its complicity in Israel's ongoing violations of international law? Mr Ashraf also asked if Cabinet would approach local MP's to demand they actually represent the residents of Rotherham, rather than simply toeing the party line? Mr Ashraf asked that Councillor Read or Councillor Alam arrange meetings with them to ensure the accurate portrayal of Rotherham residents views on the issues in Palestine.

The Leader confirmed that the Council was in regular contact with all three of the Borough's MP's who had all expressed different views about the terrible conflict. The Leader agreed that he would pass on the petition and associated recommendations to the MP's. However, the Leader stated that he had to be mindful that there were people in the Borough with differing views on the matter.

The Leader confirmed that it was not the role of the Council to lobby MP's on matters of foreign policy. They had to make their own decisions based on the information available to them. The Council could not be arbiters on foreign policy. The Leader advised the people who signed the petition to contact their MP's directly.

In his supplementary, Mr Ashraf stated that the Council had a precedent of challenging decisions made by national government. It was involved in a case regarding the allocation of funds that went to the Supreme Court. Mr Ashraf asked if the Council would adopt a similar proactive approach in challenging the national government in regard to the Overseas Anti-Boycott Bill, particularly due to its infringement upon the rights of the Council to effectively represent the will of Rotherham residents on issues of funding and investment?

The 1988 law had been mentioned previously and Labour had repealed clause 28. Mr Ashraf asked if the same could be done with clause 17 or if it could be rewritten.

The Leader stated that the legislation being brought forward by the Government was a political act rather than something that was going

to fundamentally change the legal position of the Council in terms of its procurement. The Council would always want the maximum freedoms; there was enough legislation binding it in many different ways. The Leader explained that he was not inclined to play political games Michael Gove MP in terms of this legislation. The Leader confirmed that he would consider what had been said in relation to the 1988 legislation as that was not something the Council or Local Government Association had taken a view on before.

4. Susan Gruzka asked a question regarding the Article 4 direction that had been served on residents of Clifton Bank and Wellgate. Mrs Gruzka stated that it had recently come to light that several residents on the street were being threatened with enforcement action to replace windows. Over half of the windows on the street were UPVC and had been done sympathetically in accordance with the style that was previously there. The Article 4 direction was causing a lot of stress and anxiety for residents. The Planning Department had requested that one of the residents apply for planning permission but made it perfectly clear that they would refuse the application. Some of the information in the Article 4 direction were inaccurate. For example, it said that planning permission was free when it was not. Mrs Gruzka questioned whether it was fit for purpose.

Mrs Gruzka also stated that the Council had dug the road up and taken away cobbles that had been there for hundreds of years and the footpaths were a disgrace. The residents looked after their properties and took pride in their appearance but it was not practical to still live with the Victorian fittings anymore.

The Leader stated that this was the first he had heard about this and that he understood the concerns of the residents. It was confirmed that a meeting would be set up by the Council with Mrs Gruzka and other effected residents to go through the information in more detail.

In her supplementary, Mrs Gruzka stated that the residents wanted some flexibility and to be able to talk through the issues with Council Officers but Council Officers were apparently frightened to speak with residents. There was some confusion as some residents had been told that they did not need planning permission.

Councillor Lelliott explained that discussions were already ongoing with the planning department following a meeting with another resident but she was quite happy to have a further meeting following Mrs Gruzka's question.

5. Tracey Edwards asked a question in relation to the Climate Emergency that had been declared in 2019 by the Council. Ms Edwards stated that According to the Electric Vehicle Infrastructure Strategy report, a climate emergency was declared by Rotherham Council in March 2019. What evidence was considered and produced

that led to the declaration? Is the evidence available online? Was all evidence considered and was there any conflicting evidence that would have affected the declaration? If carbon is a greenhouse gas that is harmful to the environment, why do food and plant growers use CO₂ for the essential component of photosynthesis, which feeds the plants?

The Leader stated that, the Council, in keeping with other councils across the country, the Government's position and the UN's position as recommended by the Intergovernmental Panel on Climate Change, represented the broad mainstream scientific position on climate change which was that the climate was warming and extreme weather events were becoming more frequent. This was affected by the levels of carbon dioxide and other greenhouse gases in the atmosphere. The Leader stated that the scientific consensus on that was very strong. The fact that carbon was used for other things did not detract from that.

In her supplementary Ms Edwards asked if any dissenting evidence was considered when declaring the emergency?

The Leader explained that the decision to declare a Climate Emergency was taken by full Council and he did not know what information they each individually concerned when coming to their decision. It was not a decision made based on the recommendations of Council staff. The Leader thought the declaration was adopted unanimously.

6. Stacey Bradley asked a question in relation to the cycle lane in Wath-Upon-Dearne. In July 2023, a cycle crossing with several traffic lights were constructed across Biscay Way in Wath Upon Dearne. A speed ramp was also constructed on Moor Road. There was a lot of money spent on that project. Ms Bradley lived in that area and was yet to see any cyclists use it. Who or what organisation were the facilitators of that construction? Were any cycling organisations involved in the facilitating of the crossing? How many accidents or near accidents or reports of speeding vehicles on Moor Road were received by the Council from members of the public? To date, can the Council provide how many cyclists have used the crossing? If not, then how many cyclists are likely to have used the crossing? Were any potential negative effects of the traffic lights being installed investigated? Since the installation the congestion, particularly around the roundabout was ridiculous and caused several backups. There had been an increase in traffic.

The Leader explained that he did not have the specific figures or detail in relation to the usage or accidents to hand so a written response would be provided on those. The Wath scheme, in line with other schemes across the borough, had been put forward in accordance with the Government programme which required the Council to relate

to transport schemes to either active travel schemes or public transport schemes to secure funding. That money came through the South Yorkshire Mayoral Combined Authority and the Council had to put a case to them.

The Leader stated that the schemes would only come to fruition over a period of time once people's behaviour has changed and this was known when the scheme was being built. It was never expected that there would be floods of cyclists from day one. It was about offering people choices and building the infrastructure to facilitate those choices. The Leader stated that he had certainly seen people using the cycle way and he himself had used it.

Ms Bradley stated that she agreed regarding the choice, but local people did not have a choice. The work on the bus station was causing major disruption and it could lead to the closing of independent businesses. The money that had been spent on "useless" cycle ramps could have been better spent. Ms Bradley suggested the Council speak to the local people more.

The Leader confirmed that the schemes were subject to consultation and local people were spoken to. The works in the bus station were important infrastructure works and needed to be done. The Leader did acknowledge the negative impact the works did have on local businesses.

Ms Bradley raised concerns regarding the workmen at the bus station and the Leader confirmed that the service would look into the matter and a written response would be provided.

7. Councillor Taiba Yasseen asked a question in relation to consulting with local residents, particularly in relation to the proposed development at Herringthorpe Playing Fields. Councillor Yasseen stated that it was vital to listen to local residents as they were the soul of local communities and knew what was best to happen in their areas. She stated that the Council needed to be able to tap into that experience of wealth in the local community and not see them as obstacles.

Councillor Yasseen held up a sign saying, "Save our Herringthorpe Playing Fields" and explained that the sign was at least 15-18 years old. The development of Herringthorpe Playing Fields predated everyone in the room and historically, the local people had not been listened to. Councillor Yasseen stated that she had sent four emails that had not been responded to but Councillor Allen had provided a briefing on 21 February. However, the requests for a meeting between Council officers and the Herringthorpe Playing Fields Community group had gone unanswered. Councillor Yasseen therefore asked if the meeting could be arranged, and all the information shared? She asked that the local residents be seen as partners as there was

currently a trust deficit model in Boston Castle. The bicycle lane and associated development had led to a lot of mistrust in decision makers representing the voices of local people. Therefore, when further developments took place in Boston Castle, the Council needed to take account of the mistrust and rebuild relationships.

Councillor Yasseen offered her support to the residents of Clifton Bank who had asked a question earlier in the meeting regarding the Article 4 designation.

Councillor Allen stated that she was happy to meet with the action group. Councillor Allen, in referencing the "Save our Herringthorpe Playing Fields" sign, stated that the Council were not suggesting going anywhere near Herringthorpe Playing Fields. The proposed development was on the site off Boswell Street. Councillor Allen confirmed that the Council certainly did not want to do anything illegal so would listen to the representations.

Councillor Yasseen stated that the Local Plan was clear that it was just the land off Boswell Street, but she stated that residents did not trust the Council. The trust needed to be rebuilt and residents needed to be seen as something other than obstacles.

The Leader confirmed that the Council did not see residents are obstacles. The Council were simply working through challenges in order to make changes, specifically the need to build more Council and social housing that was affordable for residents. An ambitious target had been set because there continued to be big challenges around keeping residents in safe, warm and affordable homes. As such, the Council were bringing forward sites that were in their ownership and in the Local Plan. Of course the Council wanted to do that in the right way and in a way that was sympathetic to communities. However to make those changes, residents physical realities were going to have to change.

153. MINUTES OF THE PREVIOUS MEETING

Resolved:-

That the minutes of the Cabinet meeting held on 12 February 2024 be approved as a true and correct record of the proceedings.

154. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that appendices to agenda item 14 contained exempt information, however, the meeting remained open to the public and press throughout.

155. SEND SUFFICIENCY PHASE 4 UPDATE

Consideration was given to the report which provided an update in respect of Special Educational Need or Disability (SEND) Sufficiency following the update received by Cabinet in June 2023. The report also detailed the key activities undertaken in implementing Phase 4 of the SEND Sufficiency programme focusing on resource provision development and roll out of the Schools' Accessibility Funding Programme across both mainstream and special schools. The report also identified key activities and outcomes that were currently in the process of development as part of a further Phase 5 SEND Sufficiency linked to the Safety Valve Agreement.

From 2018 onwards, Cabinet had approved four previous Phases of SEND Sufficiency, each targeted at addressing incremental rises in SEND cohorts and creating or improving specialist education provision. The first three Phases of the SEND Sufficiency programme had created 401 additional school places in Rotherham. A further breakdown of the different Phases was set out in paragraph 1.5 of the report.

Phase 4 of the programme was approved for implementation in June 2023 with the main aim of SEND Sufficiency Phase 4 to support mainstream schools to meet a wider level of need and improve accessibility within both mainstream and special schools. Phase 4 included the development of a minimum of 10 resource provisions across mainstream settings creating 100 new SEND places. A second main aim of SEND Sufficiency Phase 4 was the implementation of the Schools' Accessibility Funding Framework across both mainstream and special schools.

Following the expression of interest process and due diligence, the first Phase of resource provision implementation took place in Spring Term 2023. This included the approval of new resource provision at Thrybergh Academy and Dalton Foljambe and additional places at Wales High School resource provision. It was anticipated the building works would be completed so that the first places for children were available in September 2024. There were currently 5 schools working through approvals to support the opening of their resource provision. Further details were provided a paragraph 2.1.3 of the report. Subject to completion of building works and necessary DfE approvals, eight provisions for Phase 4 were scheduled to be completed by September 2024 with the additional 100 places being delivered in a staged way over the remaining two academic years.

In June 2023 Cabinet approved the School's Accessibility Strategy and Accessibility Capital Funding Framework. The intention of Schools' Accessibility Funding was to support schools to meet a wider level of SEND need through adaptations to existing buildings. Since the launch, funding had been awarded to the following special schools: Nexus (Forest View) - £370k; Newman School - £15k; and Elements Academy - £67k. Paragraph 2.2.5 of the report set out the details of the approved bids for the accessibility capital funding small grants' programme.

The Safety Valve Agreement recognised a Phase 5 of SEND Sufficiency. The main focus of Phase 5 was to provide increased sufficiency of places and condition improvements within the specialist provision. Phase 5 would cover three core elements: Social, Emotional, and Mental Health (SEMH) growth; Newman School; and Pupil Referral Unit Development. Additional details of these elements were set out in paragraph 2.2.8 of the report. SEND Sufficiency Phase 5 projects were currently forming part of a feasibility study which would be completed during Spring Term 2024. The study would identify appropriate options for development including identifying appropriate school assets which could be developed, capital investment required and timescales for delivery. On completion of the feasibility study a further Cabinet report would seek appropriate approval to implement Phase 5.

Resolved:-

That Cabinet:

1. Note the activity undertaken and progress to date on SEND Sufficiency Phase 4.
2. Note the key outcomes for SEND Sufficiency Phase 5 as included in the Safety Valve Agreement and agree for an additional paper to return to Cabinet once an initial feasibility has been completed.

156. EARLY HELP STRATEGY 2024-2029

Consideration was given to the report which set out the Early Help Strategy: Family Help in Rotherham 2024-2029. The Strategy had been developed in response to revised government guidance, including the Department for Education (DfE) new edition 'Working Together to Safeguard Children December 2023'. The statutory guidance outlined what organisations and agencies must and should do to help, protect and promote the welfare of all children and young people.

The Strategy, included as Appendix 1 to the report, described three phases of support for children and families and concluded with how children, families and other key stakeholders would work together to deliver the vision over the next five years.

Paragraphs 1.1 and 1.2 of the report detailed the key achievements of the previous Early Help Strategy 2016-2019. Paragraph 2.1 explained how learning gained from the delivery of the Supporting Families Programme and the Family Hubs and Start for Life Programme had identified the need to build on the good co-operation that was in place across the partnership. The learning also improved how services shared information and worked together to provide holistic support for families.

One of the three phases of the Strategy that would support children and families was Universal and Community Family Help. This included the Baby Pack Scheme; developing a SEND activity hub in the town centre; additional help for under five year olds; enhancing the Voluntary, Community and Faith Services sector's ability to deliver services and additional capacity to develop work with partners at the Front Door to improve the effectiveness of initial contact with families.

The second of the three phases was Focused Family Help. This would provide help where families were not managing to effect positive change and they require enhanced, more focused and/or specialist support. The third phase was Specialist Family Help. Specialist services to children and their families would be provided where children and young people needed a high level of support or could be experiencing or likely to suffer significant harm in circumstances where improvements had not been achieved through universal and community family help, or focused family help. Paragraph 2.7 set out the five year Delivery Plan that had been developed.

It was proposed the Delivery Plan would be overseen by the Early Help Partnership Group with scrutiny from the Improving Lives Select Commission (ILSC).

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. They had asked that data be provided relating to the number households with children in a revised version of the strategy. This ask had been accepted by the Cabinet Member.

Resolved:-

That Cabinet:-

1. Endorse the Early Help Strategy: Family Help in Rotherham 2024-2029.
2. Approves the Local Authority involvement in the development and implementation of the Strategy Delivery Plan with the oversight and delivery of progress by the Early Help Partnership Group (EHPG) and the Improving Lives Select Commission (ILSC).

3. That consideration be given to the inclusion of data relating to the number households with children in a revised version of the strategy.

157. THE FOSTERING PLAN UPDATE

Consideration was given to the report which had been presented to update Cabinet in respect of the Fostering Rotherham Plan 2023-2028, the Fostering Elected Members Working Group, the Fostering and Adoption Panel and One Adoption South Yorkshire.

The Fostering Rotherham Plan 2023-2028 set out what has been achieved so far within the Service and outlined a number of targets to achieve over the next five years. These included increasing the net number of foster carers each year, enhancing the diversity of foster carers and the number of bespoke foster carers, skilled to care for children with disabilities, adolescents, sibling groups and unaccompanied asylum-seeking children. The Council intended to reduce the use of independent fostering agency carers and promote the resilience and skills of in house foster carers. The Fostering Plan detailed how the goals would be achieved and continue to improve the quality and efficiency of service delivery in Fostering Rotherham.

Paragraph 2.4 of the report detailed the Elected Members Fostering Working Group which had been established in March 2023 and concluded in January 2024. The Working Group supported and endorsed the Fostering Rotherham Plan and the new fees and allowances which had been approved by Cabinet in November 2023. Other key recommendations from the group included:

- Celebrating Fostering Families throughout the year.
- Elected Members to champion Fostering Rotherham and for foster carers and those leaving care to know the details of their Ward Councillor.
- Maximising the reach of communications and advertising in order to increase recruitment of Foster Carers, including from a diverse background, representative of our community in Rotherham.
- Maximising the diversity of the workforce in Children and Young People's Services and to improve diversity of Foster Carers to reflect the demographic in Rotherham.

The Working Group also recommended additional areas of work outside of the fostering service:

- Strengthen the placement choice for children in order to provide strong placement matches.
- Tasking the Corporate Parenting Partnership Board to establish a subgroup in the new municipal year to further the work around diversity within the workforce and foster carers and understand

further the over representation of ethnic minority children in the Council's care.

It was proposed that in the new municipal year, Fostering and Adoption Panels would be conducted without Cabinet Members as panel members. The Portfolio holder would be able to observe Fostering and Adoption Panels without participating in panel recommendations. Fostering and Adoption, including panel functions, would be reported into the Corporate Parenting Partnership Board to ensure continued scrutiny and oversight. The number of Elected Members on the Panel would be increased, where their involvement and oversight would have a greater impact on a wider range of children in care.

Regional Adoption Agencies (RAA) were a requirement set by the Government. Rotherham must be part of such an agency and would need to identify another RAA to join before it could serve notice on One Adoption South Yorkshire. There were geographical and partnership advantages to belonging to One Adoption South Yorkshire for the Local Authority, children and prospective adopters and it was proposed that this arrangement continue for a further three years.

During the meeting the Cabinet Member and Strategic Director thanked all those that had been involved in the Elected Member Working Group and noted that all political parties had been invited to join.

Resolved:-

That Cabinet:-

1. Endorse the Fostering Rotherham Plan 2023-2028 as a working document, to proceed with ongoing developments in the service.
2. Endorse the recommendations from the Fostering Elected Members Working Group.
3. Agree to the proposals in respect of the Fostering and Adoption Panels and delegate authority to the Strategic Director for Children and Young People's Services in consultation with the Cabinet Member, Chief Executive and Assistant Director of Legal Services to amend the Terms of Reference.
4. Approve three years of continued involvement with South Yorkshire Adoption Agency and delegate authority to the Strategic Director for Children and Young People's Services in consultation with the Cabinet Member, Chief Executive and Assistant Director of Legal Services to ensure arrangements are in place to facilitate the continued involvement.

158. HOME TO SCHOOL TRANSPORT POLICY

Consideration was given to the report which outlined the findings of the review into the Home to School Transport Policy and subsequent consultation and recommended that Cabinet approves the revised Policy. Following a review by Council officers of the existing Policy and the new DfE guidelines published 29 June 2023, a draft Policy was considered by Cabinet on 18 December 2023 and approved to go to public consultation which commenced on the 8 January 2024. The consultation attracted 179 responses to the online survey, with further targeted activities seeking views of stakeholders, parents/carers, the general public and anyone who may be affected by the Policy, such as schools, other local authorities, taxi/public service vehicle operators, the young people themselves, and groups representing the voices of families, including the Parent Carer Forum. The Policy had been updated with the sections highlighted in yellow and was attached at Appendix 1. The consultation responses were attached at Appendix 2 with the consultation activities at Appendix 3.

Paragraph 2.4 of the report set out the key aspects of the proposed Policy and paragraph 2.5 set out the overarching principles within the new statutory guidance. A number of areas within the proposed Policy received unambiguous support through the consultation and details were provided in paragraph 2.9 of the report.

There were six areas where the consultation feedback required further analysis and consideration:

1. Zoom Xero Travel Pass eligibility – the Policy was subsequently updated to provide more clarity.
2. Accompaniment when assessing entitlement – there were no changes to this section following the consultation feedback.
3. Use of existing resources to include a young person on an established route – there were no changes to this section following the consultation feedback.
4. Journeys other than home to school – there were no changes to this section following the consultation feedback.
5. Eligibility for young people post the age of 16 – eligibility had therefore been more clearly defined in Section 10 of the revised Policy and will be further reviewed following the release of updated guidance from the DfE on Post 16 travel arrangements, which is currently under review.
6. Alternative Provision – the Local Authority was not obliged to provide transport for journeys to/from alternative provision.

Paragraphs 2.11 to 2.15 set out further changes to the Policy following the consultation period.

Resolved:-

1. That Cabinet approves the Home to School Policy that is attached to the report as Appendix 1.

159. NEW APPLICATIONS FOR BUSINESS RATES RELIEF FOR 46TH ROTHERHAM SCOUT GROUP AND ROTHERHAM UNIT 287 OF THE SEA CADET CORPS

Consideration was given to the report which set out the application for the award of Discretionary Business Rate Relief for the 46th Rotherham Scout Group and Rotherham Unit 287 of the Sea Cadet Corps.

The 46th Rotherham Scout Group provided activities for the benefit of young people's learning, and social and mental welfare. It aimed to engage and support personal development thus empowering young people to make a positive contribution to society. The organisation had to cease operations during Covid which resulted in there being no income generated to meet fixed cost expenditure. The post-Covid period had left the group with significant expenditure to ensure compliance with fire, gas and emergency lighting regulations. The organisation was applying for discretionary relief with regards to their 2023/24 and 2024/25 rates liability.

Rotherham Unit 287 of the Sea Cadet Corps offered a structured programme of training and activities both on water and on land. The aim was to develop not only skills in seamanship but also to equip young people with leadership, management and team building skills. The organisation currently benefitted from an award of discretionary relief on its two existing premises. However, they were in the process of vacating the premises at Falding Street, Rotherham as they moved all their equipment into the new premises which were the subject of this application. They would retain the premises at Thrybergh for their water-based activities. The organisation is applying for discretionary relief with regards to their 2023/24 and 2024/25 rates liability

The total value of the relief for the financial years 2023/24 and 2024/25 was £729.11 and £1,307.38 respectively. The cost to the Council was £357.27 (2023/24) and £640.61 (2024/25) based on the Council's 49% share.

Resolved:-

1. That Cabinet approve the applications for Discretionary Business Rate Relief for 46th Rotherham Scout Group and Rotherham Unit 287 of the Sea Cadets Corps in accordance with the details set out in Section 6 to this report for the 2023/24 and 2024/25 financial years.

160. MODERN SLAVERY TRANSPARENCY STATEMENT - ANNUAL REFRESH

Consideration was given to the report which provided the annual update in relation to the activities of the Council and its partners, in seeking to both address and prevent modern slavery. The report focussed on actions following the resolution passed by Council to adopt the Co-operative Party Charter against Modern Slavery on the 25 July 2018 and in-particular on actions since the last annual report presented to Cabinet on 20 March 2023.

On the 1 November 2022, the Council's Overview and Scrutiny Management Board (OSMB) held a 'Spotlight Review' into the Council's and partners responses to tackling Modern Slavery and Human Trafficking in Rotherham. This was supported by a wide range of partners. At the time of submission of the last annual report to Cabinet on 20 March 2023, the findings, and recommendations from the OSMB review had not been received. They were subsequently received, considered, approved and incorporated into the current Modern Slavery Action Plan as seen at Appendix 2.

A recommendation from the OSMB review was for the Council to establish an internal governance group, including representation from services that may encounter modern slavery. A Modern Slavery Steering Group had been established, was chaired by the Head of Service, Community Safety and Regulatory Services and managed the Council's Modern Slavery Action Plan.

Between April 2019 and December 2023, a total of 207 referrals from Rotherham were made by the Council and other First Responder Organisations to the National Referral Mechanism. All referrals were reported to the Safer Rotherham Partnership Board via the Performance Management framework.

Resolved:-

That Cabinet:-

1. Note the progress made to date.
2. Approve the Modern Slavery Transparency Statement 2024/25 and it is published on the Council's website.

161. HOUSING DELIVERY PROGRAMME - DEVELOPMENTS AT GREASBROUGH AND THORNHILL

Consideration was given to the report which sought approval from Cabinet to develop the Council-owned sites at Grayson Road (Greasbrough) and Tenter Street (Thornhill). Together, it was projected that the sites would deliver an estimated 31 new homes. Appendix 2 identified the specific areas of land to be appropriated from the General Fund to the Housing Revenue Account, to support development of the new Council homes.

Grayson Road and Tenter Street were Council-owned land assets held in the General Fund. Both sites had been allocated for residential development within the Rotherham Local Plan (site references H6 and H8 respectively).

It was estimated that the Grayson Road site could deliver approximately 16 new homes and the Tenter Street site approximately 15 new homes, subject to conclusion of the design process and planning permission.

The Housing Delivery Programme reports had identified that there was a clear and continuing need for more affordable homes across the borough, and as the cost-of-living continued to affect communities, more people would turn to the Council for financial and housing support. The Council was continuing to address this need through delivery of the Programme, with a target to deliver hundreds of new homes by March 2026.

Resolved:-

That Cabinet:

1. Approves development of the Grayson Road and Tenter Street sites, to build an estimated 31 new Council homes.
2. Delegates authority to the Assistant Director of Housing, in consultation with the Cabinet Member for Housing, to take the necessary steps to appropriate the land from the General Fund to the Housing Revenue Account: to optimise design of the sites according to strategic need, site constraints, and any requirements resulting from both stakeholder feedback and the planning application process.

162. HOUSING DELIVERY PROGRAMME – GRANT FUNDING FROM HOMES ENGLAND

Consideration was given to the report which sought approval for the Council to enter into an Affordable Homes Programme Grant Funding Agreement with Homes England. This would provide the framework for the Council to access essential grant funding which would support the delivery of new Council homes by March 2026.

The principle of the use of external grant funding to support the Programme was set out and approved in the Cabinet report on the Programme in January 2024. A Grant Funding Agreement between the Council and Homes England would act as framework for the Council to access Affordable Homes Programme (AHP) grant funding over a multiyear period. Given the total value of grant awarded to the Council could be for millions of pounds, Cabinet approval was sought to enter into the Agreement.

It was expected that AHP grant funding would be available for Council new build projects, Small Sites Homebuilder Initiative schemes, and potentially market acquisitions. Homes delivered through Section 106 agreements were not eligible for AHP grant. All schemes funded through the AHP had to start on site by 30 September 2025 and be completed by 31 March 2026. This aligned with the Council's current pipeline of Council-led build and acquisitions activity.

Resolved:-

1. That Cabinet approves entering into a Grant Funding Agreement with the Homes and Communities Agency (trading as 'Homes England') in relation to the Affordable Homes Programme (2021-26).

163. CAPITAL PROJECT UPDATES

Consideration was given to the report which provided an update on the Templeborough Business Zone and Markets and Library Projects. Following the Stage 1 design phase of the Templeborough Business Zone (of a 2-stage design and build) in December 2023 final contract prices were made available by the preferred contractor Henry Boot. These costs were in excess of the current budget and were detailed in Appendix 1. Additional funding was now sought to deliver the Templeborough Project with the South Yorkshire Mayoral Combined Authority (SYMCA) devolved Gainshare budget identified as the source, subject to the SYMCA's approval process.

A wide-ranging value engineering exercise had been undertaken to identify how the scope of the Markets and Library Project could be delivered, and quality maintained within the budget agreed by Cabinet in December 2023. Final contract prices had been made available by the contractor Henry Boot. These costs, together with fees and contingency, exceed the budget agreed by Cabinet in December 2023. This was detailed in Appendix 4 (exempt). It was proposed that the additional budget requirement would be met from the Council's capital contingency.

Resolved:-

That Cabinet:-

1. Approves the final cost plan for Templeborough Business Zone as shown in Appendix 1 (exempt).
2. Approves the final cost plan for the Markets and Library as shown in Appendix 4 (exempt).

164. SOCIAL VALUE ANNUAL REPORT AND SOCIAL VALUE POLICY

Consideration was given to the report which provided an update on the progress towards the priorities set out in the Council's Social Value Policy. Since the last annual report in March 2023, positive progress had continued to be made in realising the ambitions of the Council's policy. In the intervening period social value commitments had more than doubled to £27.8m, with commitments delivered also doubling from £4m to £8m. Alongside this the Council's broader progress on this agenda was recognised through the receipt of a national social value award for public sector leadership.

This year's report also provided the outcome of a review of the current Social Value Policy, to set the direction to 2027. A review rather than a rewrite, the proposed Policy retained the original aims and commitments, whilst reflecting on the successes to date and incorporating the additional policy commitments agreed by Cabinet through previous annual reports.

The Council received accreditation as a "Living Wage Employer" from the Living Wage Foundation in September 2021 and had retained the accreditation in 2022 and 2023. In June 2023 the Council won the prestigious Social Value Award for Public Sector Leadership. The Social Value Awards, organised by the Social Value Portal as part of their annual social value conference, were the most widely recognised awards for organisations and individuals delivering social value outcomes in communities across a number of categories.

In January 2024, Cabinet adopted the Local Labour Policy Interim Policy Statement. This Policy set out the requirements for major and/or employment generating development entering into Local Labour Agreements, increasing the opportunities for local people to access training and local employment.

Following the completion of the review, the updated Social Value Policy 2024 – 2027 was attached at Appendix 1 to the report. The key changes made to the Policy were:

- Recognising the progress to date of the existing policy and building on these successes.
- Incorporating the Centre for Local Economic Strategies (CLES) recommendations regarding community wealth building that were adopted by Cabinet in 2021.
- Setting out the direction for the period 2024 – 2027.

The key actions and development for 2024/25 were set out in paragraph 2.50 to 2.56 of the report.

Resolved:-

1. That the annual report is received noting the increased social value commitments along with outcomes delivered.
2. That the updated Social Value Policy 2024 – 2027 be approved.
3. That the key priorities for 2024 include:
 - a. Community wealth building by growing employee and worker owned businesses in the borough.
 - b. Building the capacity of local SMEs through additional tailored support, including one-to-ones and group sessions.
 - c. Maximising social value opportunities and commitments through local market analysis.
 - d. Developing the local anchor network by working with anchor organisations to help them develop social value approaches and processes.

165. LOCAL GOVERNMENT ASSOCIATION CORPORATE PEER CHALLENGE PROGRESS VISIT

Consideration was given to the report which provided details on the progress review that took place on 21 December 2023 following the Local Government Association Corporate Peer Challenge (CPC) that took place in June 2023.

The CPC had concluded that Rotherham Metropolitan Borough Council served the town well and was today an impressive organisation. They made seven recommendations which were included in a high-level action plan which was approved by Cabinet in September 2023. The progress visit reviewed the actions taken in light of the recommendations and the findings were received by the Council in February 2024. These were attached to the report at Appendix 1.

The progress visit report concluded that:

The peer team was pleased to see the positive and engaging way in which the council addressed the recommendations of the Corporate Peer Challenge of June 2023, the actions it has taken so far, and the evidence provided to show the progress being made.

During the meeting the Chief Executive provided updates on the actions taken on each of the recommendations. It was also confirmed that the Council's next Corporate Peer Challenge should take place in 2028.

Resolved:-

1. That Cabinet note and endorse the observations made by the Corporate Peer Challenge team to the Council.

166. THE ELECTRIC VEHICLE INFRASTRUCTURE STRATEGY

Consideration was given to the report which presented the Rotherham Council Public Electric Vehicle (EV) Charging Infrastructure Strategy for approval. The Strategy, attached to the report at Appendix 1, had been prepared to ensure a transparent approach to delivery of the Council's public charging network and it covered commitments with regards to delivery and expansion. The Strategy also detailed how the Council intended to select future charging sites and engage with residents, businesses and commercial fleets.

The increase in demand for EV Charging had been slow within the Borough when compared with National figures following an observed decline in use post pandemic. This was now showing signs of improvement and changes to legislation affecting new vehicle registrations would further strengthen this demand in future.

To meet this expected future demand the below vision had been set out:

- By 2040, the majority of Rotherham residences are within a ten-minute walk of a publicly available charge point and residents will have confidence that they can access this infrastructure as and when they need it regardless of any disability or protected characteristic they may have.
- The Council owned charge point network will complement and enhance the private sector offer to provide access to a system of charge points across the Borough including varied types of chargers to meet demand. Charging units under Council control will be specified to meet PAS1899 accessibility standards and all new installations will provide a minimum number of fully accessible charging bays or nearby alternatives.

- The Council network should offer its users a transparent and consistent pricing structure and offer a variety of payment types.

The Strategy proposes the following targets:

- 95% of residences to be within 3 miles of a Council owned public charge point by 2025.
- 95% of residences to be within 1.5 miles of a publicly available charge point by 2030.
- 95% of residences within a ten-minute walk (or 800 meters/ approximately 0.5 mile) of a publicly available charge point by 2040.

The actions to be taken to achieve the above targets were detailed in paragraph 2.9 of the report. The Council also committed to report its progress annually to Cabinet as part of the Climate Change Action Plan against these commitments including any regional considerations as part of a comprehensive implementation plan.

The Council intended to work alongside South Yorkshire Mayoral Combined Authority to develop routes to create further new EV locations with the private sector. This approach aimed to reduce the impact of land availability challenges and financing from both a capital and revenue perspective.

Resolved:-

1. That Cabinet approve the Rotherham Council Public Electric Vehicle Infrastructure Strategy which can be found at Appendix 1 of this report.

167. TRANSPORT CAPITAL PROGRAMME 2024/2025

Consideration was given to the report which detailed the Transport Capital Programme for the upcoming 2024-25 financial year, including the funding sources and programme areas. The report also explained how the project would be managed, including:

- Local Neighbourhood Transport Programme (Table 1)
- Local Neighbourhood & Road Safety Programme Tranche 2 (Appendix 1)
- Minor Works (Appendix 2)
- Highway Structures (Appendix 3)
- Active Travel Fund 4 (Paragraph 2.5)
- Bus Service Improvement Plan (Paragraph 2.6)

The report also provided details of the 2023-24 programme which included the delivery of projects at Moor Road in Manvers, Broom Road and Manvers Bridge along with major schemes at Sheffield Road and the A631 Rotherham to Maltby bus corridor. New pedestrian crossings had been delivered at Morthern Road, Meadowbank Road and Great Eastern Way.

As part of the 2024/25 programme, there were proposals to include bus priority works on the A633 between Rotherham and Wath as detailed in paragraph 2.6 of the report. Paragraphs 2.7 and 2.8 of the report provided an update on the Rotherham Mainline Station proposals. Reintroducing intercity rail services to Rotherham had long been a strategic goal for the Council and formed a crucial component of future regeneration initiatives. Consequently, an Outline Business Case (OBC) was currently in preparation for submission to South Yorkshire Mayoral Combined Authority by July 2024 and the Department for Transport by October 2024. This OBC would comprehensively outline the strategic rationale for the investment, anticipated benefits, associated costs, procurement options, and overall project management approach.

Resolved:-

That Cabinet:

1. Approves the schemes and allocations of funding outlined in section 2 and Appendices 1, 2 and 3.
2. Delegate authority to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Transport to modify if necessary the Minor Works programme in Appendix 2.
3. Delegate authority to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Transport, to submit the completed Rotherham Mainline Station OBC to South Yorkshire Mayoral Combined Authority and the DfT upon conclusion of the final review stages (estimated June 2024).

168. INDICATIVE HIGHWAY REPAIR PROGRAMME 2024/2025

Consideration was given to the report which explained how Rotherham's highways were strategically managed and maintained in accordance with the agreed Highway Asset Management Policy, Strategy and Highway Asset Management Plan (HAMP.) The report also reviewed current strategy for the management and maintenance of Rotherham's Highways and the impact the recent Council funding had had on the highway network. Current performance in terms of the condition of Rotherham's highways and in terms of the delivery of highways maintenance services were outlined.

The additional investment over a number of years in Rotherham's roads was making a real improvement to the highway network. This was evidenced by the improvement in the condition of the estate roads and classified network and a continued reduction in the number of potholes reported and highway claims received against the Council.

On the 28 February 2024, the Council met to approve its budget for 2024/25, which included additional investment to maintain the improvements in the condition of the Highway Network across Rotherham. This report related solely to the funding available to the Service prior to this point. A further report in order to expand the programme, in light of the funding agreed, would be developed and brought forward in the Summer of 2024.

Resolved:-

That Cabinet:-

1. Note the strategic approach to the management and maintenance of Rotherham's Highways.
2. Note the decision of the Strategic Director of Regeneration and Environment to approve the indicative Highway Repair Programme for 2024/2025.
3. Note any additional in year funding to deliver highways repairs, the Strategic Director for Regeneration and Environment may utilise that funding in accordance with the strategic approach to the Management and Maintenance of Rotherham's Highways as laid out in this report.

169. 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.

Following Cabinet's receipt of the report and recommendations at its meeting in June 2023, a response had been received by the Director of Public Health relating to the Scrutiny Review - Access to Primary Care. Updates would be provided to Health Select Commission as part of their work planning.

170. DATE AND TIME OF NEXT MEETING

Resolved:-

The next meeting of the Cabinet would be held on Monday 10 June 2024, commencing at 10.00am, in Rotherham Town Hall.

THE CABINET - 18/03/24

The Leader wished to place on record his thanks to Paul Woodcock, Strategic Director of Regeneration and Environment who was attending his final Cabinet meeting before leaving the Council. The Leader thanked the Strategic Director for his work, particularly on the many regeneration projects that were happening throughout the Borough.