

**THE CABINET**  
**29th July, 2024**

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

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

Apologies for absence were received from Councillors Baker-Rogers.

**13. DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

The following questions were asked by members of the public and elected Members at the meeting:

1. Mr Dixon: Does the Council support the use of affordable family housing in the villages of the borough being converted to Houses of Multiple Occupation (HMO's) when there are no facilities or jobs in those villages and therefore no need for HMO's?

Councillor Allen explained that there was a national housing crisis and shortage of properties with an ever increasing demand. Not only was this a national issue but it was also a local one; Rotherham was not immune to the situation. As a result, residents were finding it increasingly difficult to access housing that they could actually afford which was leading to a greater demand for shared housing. Rotherham Council was in the process of delivering hundreds of new homes to rent in order to address some of that demand. The demand however also meant that the private market was evolving with more shared housing. This was resulting in what were traditionally one household properties being converted by landlords into HMO's. Private landlords would look for properties wherever they were available, including in the villages, as that was their choice.

In his supplementary question, Mr Dixon stated that it sounded like Councillor Allen was saying that the Council supported the proliferation of HMO's into villages that did not have the facilities or jobs for such people and used affordable housing that should be being used by the people in that area as family accommodation. He asked Councillor Allen if this was correct.

Councillor Allen confirmed that the Council were supporting the development of housing to address the demand as it was the Council's statutory duty to do so. If an application came through to develop a HMO, the Council were duty-bound to look at it.

2. Mr Hussain: A 35 year plan for Herringthorpe Cemetery had been published. However, at a meeting held at Rotherham Town Hall on Thursday 25 July 2024, Dignity had reneged on the proposed plan of developing the existing site. This had sent Rotherham's Muslim community into a tailspin as it had already been established that there was a limited amount of space in the graveyard. The new proposal was for a site within the boundaries of the graveyard which would ultimately make the annex area that was supposed to be developed redundant. Mr Hussain explained that the residents were the service users, and the Council were the service providers. He asked the Council what they were going to do in order to compel the contractors to develop the site to alleviate the problem of burial space? In reference to the previous question, Mr Hussain explained that it had just been stated that the Council had a duty to provide housing space. Muslim's believed that the grave was their final resting place and as such the Council had a duty to provide that space.

Councillor Sheppard explained that he was dismayed and angered at the decision Dignity had taken. He stated that an implicit part of contract was trust and the Council needed to be able to trust contractors to deliver. Dignity had to delivery for Rotherham Council but, more importantly, also had to deliver for the residents of Rotherham. Councillor Sheppard stated that there was a lot of work to be done to ensure the Council were certain that an appropriate plan was in place to ensure that there was sufficient space available for future years. This would ensure residents could rest peacefully and communities could be at ease with the knowledge that there was space in the borough's burial grounds.

Phil Horsfield, Assistant Director of Legal, Elections and Registration Services, had been in attendance at the meeting and explained that the plans that were presented at the meeting had not previously been presented anywhere else. The Council had not seen them prior to the meeting and as such, it came as a surprise. However, the Council had already taken action and was using all of the contractual levers and enforcement mechanisms available to them, including engaging external solicitors, to ensure that, not only was the space available, but that it was according to the plan and the required levels of assurance had been provided.

In his supplementary question, Mr Hussain stated that the answer sounded good but did not take away the stress and anxiety faced by the elders in the Muslim community. They were worried and stressed about whether they would get a space in the cemetery and a final resting place in Rotherham. Mr Hussain said that the Council saying they would hold Dignity to account sounded like a broken record. A robust plan was needed which would be a lasting solution; not something that was changed every six months.

The leader stated that he understood the strength of feeling that there was on this matter and the level of concern in the community. The Leader wanted to be clear in that Dignity had a contract to provide a service through the Council to the people of Rotherham and if they were not delivering that service or honouring that contract they would not be providing that service any longer. There was a legal process that the Council had to follow, but if that is where the actions of Dignity took the Council, that is what would happen. Events in the last week had made that more likely. The commitment of the Council remained the same in that it wanted to ensure that there were safe burial places for people of all faiths and religions, whether Dignity were involved or not.

3. Mr Tareen: Graveyards were usually places designed to provide a place for peace and tranquillity. Normally in graveyard there were different categories such as squares, alignments of the graves and green areas. It had been established that, for years, the Muslim burial area had been badly neglected by Dignity. In the last couple of years there had been some improvements with the drainage system and the installation of a tarmac path. However, despite several promises made by Dignity, a landscape visual impact assessment had not been completed and a landscape plan had not been produced. In a visit to the cemetery, Mr Horsfield had emphasised to Dignity the need to produce a schedule and timetable for the landscaping of the area. This required a joint effort by Dignity, the Council and the community.

Mr Tareen asked Phil Horsfield what progress had been made since that visit?

Phil Horsfield, Assistant Director of Legal, Elections and Registration Services, stated that the progress made was not up to the standard the Council or community had expected. The Council would continue to use all available options to secure burial spaces suitable for all communities.

In his supplementary question, Mr Tareen asked if Dignity did not fulfil their promises, who would eventually be responsible? He believed that the Council should be directing Dignity. It had been ignored for years and years and even when some progress was made, there was a change of management and the community felt like they were now back to square one. He asked what could be done and for the Council to guide them.

Phil Horsfield reiterated that the Council were looking at every single lever available to it, including who provided the contract.

4. Mr Mahmood: Some serious answers were necessary to some extremely concerning issues which had not been adequately addressed by RMBC or their representatives. With the imminent intervention of the medical examiner's commencing in September, concerns were growing in the Muslim community that the release from mortuaries and burials of loved ones would suffer unnecessary delays and add further to the pain and suffering. A documented review was to be carried out on the process,

but the community was still waiting for this. At the Muslim Burial Liaison meeting on 25 July, two medical examiners were in attendance. However, they were never introduced. There was no agenda prior to the meeting and the community were therefore none the wiser. Could the Council explain?

Phil Horsfield, Assistant Director of Legal, Elections and Registration Services, stated that the delay was from the Government, not the Council. The service was delivered by the NHS and the Council were liaising with them to ensure that it got the information as soon as it was available. That information would then be disseminated through the Muslim Burial Liaison meetings.

Mr Mahmood stated that there were two medical examiners present at the meeting, and they could have provided an update.

In his supplementary, Mr Mahmood stated that digitised maps of the graveyard were supposed to have been provided. Residents had been waiting for two years but nothing had been provided. Mr Mahmood stated that this showed how slowly the Council and/or Dignity was moving on these issues which was heartbreaking.

Phil Horsfield explained that the maps should have been provided and as they had not been, Dignity had been subject to other contractual enforcement mechanisms. The Council had recently been informed that the maps would be delivered shortly but they continued to press the matter.

5. Mr Azam: In 2022, two planning applications were submitted. One was for Wath and was a Christian extension. The other was for East Herringthorpe and was a Muslim extension. The whole area was supposed to be allocated for the Muslim community. The Christian extension had gone through planning with no issues. Dignity had invested in it, and it had moved forward. For East Herringthorpe, it was like a broken record. There was utter disappointment at what had been going on. There were sixty lined graves and three earthen graves. There was no plan for baby graves and there was no urgency. With regards to the Muslim application, Dignity did not know whether they would proceed with it or withdraw it. The Council did not have a plan (one year, two years, 5 years or 10 years) of how the land would be utilised. The answers provided to questions ask at Cabinet meetings and the answers provided at the Liaison group meetings were utterly disappointing. What commitment could the Council give regarding when there would be clarity as to what was actually happening?

Mr Azam stated that he did not want assurances or promises of what the Council would do. He wanted to know what action was actually going to be taken and by when.

The Leader explained that the improvements at Wath had not been without issues. In relation to Dignity, the Council had had an expectation that Dignity would provide the agreed service and that they were working on the development plan. They then attended the meeting on 25 July and, without any notice, announced a change of plan. This was not something the Council knew about and was completely unacceptable. That was not how business was done. As mentioned previously, the Council would use all levers available to it to ensure that Dignity were doing the things that they needed to do to make sure that those graves were available. That included measures such as removing them as service providers.

The Leader explained that he could not provide a timeline or date as information was required from Dignity and the Council had been let down by them. It would be wrong to make promises regarding timings.

Mr Azam explained that this caused problems. If the three earthen graves were used, what happened then? In relation to the operational plan, Mr Azam stated that in January the previous Business Manager at Dignity was saying it was red but had been downgraded to amber. The land was waterlogged with cables running through it, yet no one seemed to know if the cables were live. Mr Azam acknowledged that the Council was going through the legal processes, but he asked who was managing the day-to-day delivery of the contract? Mr Azam did not believe anyone was on top of the situation. He stated that it showed there was no due diligence done by the Council as they did not know that a different plan was going to be presented to the community meeting.

The Leader stated that there certainly were people who were managing the contact which was why Dignity had been fined substantial amounts of money over the last few years. The enforcement had been ramped up over that period of time. The Leader reiterated that Dignity had turned up to the meeting with the revised plans and those plans had not been seen or approved by anyone at the Council. The Leader acknowledged that this was a difficult situation for Mr Azam but stated that it was also a difficult situation for him as Leader of the Council. No one wanted to be in the current position. The Leader confirmed that an update would be provided to the group before the next Cabinet meeting on 16 September.

6. Councillor Hussain: Can the Leader and Cabinet make sure this situation (East Herringthorpe Cemetery) was treated as an urgent matter that was given full consideration and priority? It needed to be dealt with as soon as possible because it was causing chaos in the community.

The Leader stated that the Council were treating the situation with the upmost seriousness and urgency. It was a position that nobody wanted to be in, and everyone wanted to see it resolved as quickly as possible.

7. Mr Ashraf: The Year Ahead Plan was on the agenda for today's meeting. Was there anything in the Plan in relation to cemeteries and Dignity? Mr Ashraf also asked a question in relation to the IHRA definition

of antisemitism. He stated that he and the Council were at cross-purposes on this subject, and he asked the Leader to write to him with all of the historical and legal arguments along with any other reasons as to why Rotherham Council had adopted and continued to use the definition since 2019.

The Leader explained that there was nothing specifically relating to Dignity in the Year Ahead Plan. The Leader explained why that was. The Council provided thousands of services on a day-to-day basis, some through external private providers. That work typically was not included on the Plan. The Plan detailed work that the Council wanted to see happen in a given year whereas the provision of cemetery services was more business as usual. It was a service that needed to be delivered at all times. As such, there was no particular measure in the Plan but that did not undermine the commitment given earlier in the meeting that the Council wanted to move quickly on this situation and provide updates to the community over the coming weeks.

In relation to the second part of the question, the Leader confirmed that he was happy to write to Mr Ashraf as requested. The correspondence would outline the process the Council went through to adopt the definition which was through a motion to Full Council. There had been a number of people who had asked the Council to adopt the definition and it was a particularly sensitive issue at the time. The Council considered the request for a period of time, during which the IHRA definition was adopted by a number of national organisations. The Council took the view that it was the right thing to do. Since the adoption, the definition had not had to be tested in Rotherham as there had not been incidents of antisemitism.

In his supplementary question, Mr Ashraf asked for copies to be sent to him via email of all correspondence that the Leader, Councillors and Council Officers had undertaken on residents behalf to MP's etc?

In the second part of his supplementary question, Mr Ashraf stated that the video recordings (webcasts of the meeting) were 2040i which was very low quality. He asked whether this could be increased to a minimum of 1080P? He stated that the subtitles left a lot to be desired in terms of accuracy and he asked how this could be improved. Mr Ashraf also stated that the minutes of the public questions asked at Council meetings were not fully accurate with information missing. The example of referring to Councillor Alam as Councillor Allen in the 28 February Council meeting minutes was given. Mr Ashraf asked how the public would know the difference from the minutes if the Officers of the Council could not tell the difference between Councillor Saghir Alam and Councillor Sarah Allen. Mr Ashraf stated that as information was missed and not accurate in the minutes, could the minutes be changed to verbatim minutes, which, in tandem with emailed questions and webcast should be doable. He asked the Leader to provide a rough timeline.

The Leader asked Mr Ashraf to put his concerns into writing and send them to him due to the volume of questions asked. Responding to question regarding the quality of the webcast, the Leader explained that the decision was taken as part of the budget setting process in February and March 2024 that more public money would not be spent on upgrading the webcast system as it was adequate for the needs of the Council. If money was to be spent on that it could not be spent on something else. Council had taken the decision recently not to update the system. In terms of minutes, it was important they were accurate and did not confuse Alam and Allen. The Leader asked Mr Ashraf to highlight where the errors were in the minutes so that they could be corrected. In terms of verbatim minutes, the Leader confirmed that the webcast of a meeting was available for a year so anyone could hear verbatim what was said at a meeting. The purpose of minutes was not to provide a verbatim record but was to record the decisions taken in the meeting along with a sense of the discussion around that. That was the stance taken by most Council's and the stance taken by Rotherham for a long time and that would not be changing.

8. Mr Iqbal: The OSMB Councillors passed the recommendations of the sub-group on the Gaza Petition at the 24 July meeting. The Chair had communicated with the Leader, asking him to expedite the approval. Could the Leader of the Council given assurances that he would do so and give a timeline for that?

The Leader confirmed that the Chair of OSMB had written to him in the week prior to the Cabinet meeting asking him to expedite the recommendations. The recommendations were not able to be presented at the current Cabinet meeting as items for decision had to be published a certain period in advance of the meeting. Due to the timing of the OSMB meeting it was not possible to publish those recommendations in time for the Cabinet meeting. The recommendations would be presented to Cabinet in September 2024 and discussions would be held over summer to inform the decision which would be taken as quickly as possible.

9. Councillor Thorp: In the Infrastructure Delivery Schedule it says the Council are spending around £850,000 per school for near enough all schools to build extensions. How much in pupil numbers for school was this expected to deliver?

The Leader explained that no one in the room would be able to provide that level of detail. He advised Councillor Thorp that if he did want to ask questions that required detailed figures he should send his question in advance so that research could be undertaken, and a full answer provided in the meeting. A written response would be provided to the question asked at this meeting.

In his supplementary question, Councillor Thorp stated the Council was spending £850,000 on schools but there was a planned £30 million to replace a railway bridge that was surely owned by Network Rail. Why was

Rotherham Borough Council spending money on structures that they did not own?

The Interim Strategic Director of Regeneration and Environment explained that the Infrastructure Delivery Schedule itemised the key components of infrastructure that were required to support growth in the Borough. They were not necessarily things owned by the Council or things that would be funded by the Council. Some contributions would come from developers to contribute towards the infrastructure items. In relation to the bridge, the Council were committed to undertaking design and feasibility work only on Eastwood Bridge and that was funded by South Yorkshire Mayoral Combined Authority. Not Council resources.

Councillor Thorp stated he was referring to Canklow bridge.

The Leader explained that this would be to do with the pinch point on the highway network. The Infrastructure Delivery Plan was a number of years old and the principle of it was that if the pinch point on the road network could be resolved, it would lead to economic benefits in the borough. It did not mean that there was a commitment from the Council to fund those works. The Infrastructure Delivery Plan kept items such as the bridge on the agenda for if Network Rail did approach the Council at any stage. It was basically a wish list of infrastructure schemes.

**15. MINUTES OF THE PREVIOUS MEETING**

**Resolved:**

That the Minutes of the Cabinet meeting held on 10 June 2024 be approved as a true and correct record of the proceedings and signed by the Chair.

**16. EXCLUSION OF THE PRESS AND PUBLIC**

The Chair advised that Appendix 2 to Minute 23, Appendix 1 to Minute 32, Appendices 2,3,4 and 5 to Minute 33, Appendices 2 and 3 to Minute 34 and Appendix 1 to Minute 35, however, the meeting remained open to the public and press throughout.

**17. CHILD EXPLOITATION STRATEGY 2024-2029**

Consideration was given to the report which provided an outline of the Child Exploitation Strategy 2024-2029. The previous Strategy had been agreed by Cabinet in June 2019 and ran to the end of 2022 with a three month extension period to deliver the new Strategy.

Section 2.2 of the report detailed the achievements of the 2019-2022 Strategy by outlining the progress against the five priorities which were:



- Safeguarding Vulnerable Children – Responding to Child Exploitation.
- Support to Victims and Survivors – Post Abuse Support, Child Sexual Exploitation commissioned services for victims and survivors.
- Learning and Development – Awareness Raising and Training.
- Child Protection and Detection of Crime – Operation Keep Safe.
- Operation Stovewood.

The 2024-2029 Strategy was attached at Appendix 1 to the report and had been developed in line with legislation and guidance. The Strategy provided a clear directive on the following key local priorities:

- To have an effective response to tackling exploitation in Rotherham, from prevention, safeguarding systems, and identification of offenders to victim support.
- Reduce Exploitation happening in Rotherham.
- Keep children and young people safe from harm of exploitation.
- Identify offenders of exploitation and bringing them to justice.

The local priorities were derived from the National Child Sexual Exploitation Strategy and drew on research into established working practices. These would be driven by the Child Exploitation Delivery Group with strategic oversight from the Rotherham Safeguarding Children's Partnership (RSCP). It was proposed that the associated Delivery Plan for the Strategy would be developed with key milestones for each of the objectives, and outcome measures identified. The Delivery Plan would be approved by the RSCP Executive and progress against this would be owned by the Child Exploitation Delivery Group, who would provide update reports to each RSCP Executive meeting.

The Strategy provided clarity on roles and responsibilities of key partner agencies, how they would work together to deliver key priorities and how success would be measured.

Ofsted had looked at the Local Authority's arrangements for children in need or subject to a Child Protection Plan in line with the Inspection of Local Authority Children's Services Framework in May 2024. Key findings included:

- That when children required help and protection, they received high quality and effective support.
- The children's cases reviewed demonstrated thorough assessments of need and risk, resulting in children and families receiving the right help and support at the right time.
- There was a robust appetite for improvement and holding to account those delivering services to children to perform better across the Safeguarding Children Partnership.

- Senior leaders ensured there were effective lines of accountability across children's social care.

It was noted in the meeting that Rotherham was seen as being a national leader when it came to the tackling of child exploitation and that an accessible version of the Strategy was being worked on.

**Resolved:**

1. That Cabinet endorse the Child Exploitation Strategy 2024-29.
2. That Cabinet approve the Local Authority involvement in the development and implementation of the Strategy Delivery Plan and the oversight of progress by; the Child Exploitation Delivery Group (CEDG), Rotherham Safeguarding Children's Partnership (RSCP) and the Rotherham Metropolitan Borough Council (RMBC) Improving Lives Select Commission (ILSC).

**18. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) SUFFICIENCY PLANNING TO GROW SOCIAL, EMOTIONAL AND MENTAL HEALTH (SEMH) PROVISION**

Consideration was given to the report which provided an update on Children and Young People Services Special Educational Needs and Disabilities (SEND) Sufficiency planning, in particular the growth of Social, Emotional and Mental Health (SEMH) provision linked to Elements Academy. In March 2024, Cabinet had been informed of the progress towards creating 100 additional resource education places as part of phase 4 of SEND Sufficiency linked to the Safety Valve Agreement and introduced the requirement for further SEMH growth as part of phase 5 of SEND Sufficiency.

The report set out proposals for Herringthorpe Youth Centre and Library to transfer to Ethos Multi-Academy Trust under a lease arrangement to provide additional teaching space for Elements Academy. This would create 30 additional SEMH education places in line with the key activities and outcomes as part of phase 5 of SEND Sufficiency. This was in addition to the 100 resource places created during phase 4.

Section 1 of the report detailed the need for special school places in Rotherham. 20.4% of pupils in the borough had either a statutory plan for SEND, known as an Education Health Care Plan (EHCP) or were receiving SEND support. This compared with an average of 17.1% across all English Authorities.

Herringthorpe Youth Centre had been deemed surplus to Council requirements following a review by the Council's Asset Management Board. Elements Academy had been identified as the appropriate partner to use the site. They intended to use the site to develop a provision for Key Stage 3 and 4 pupils who required additional intensive support in a

smaller setting. At full capacity this would be for 30 pupils. The staffing ratios would be managed by the school but typically, there would be smaller class sizes of up to 8 pupils, but this was flexible depending on need.

As part of due diligence, condition reports had been completed by both RMBC and Ethos. This had concluded that an immediate allocation of £179,000 was required to bring the site up to a suitable condition for teaching and learning. In support of this and to ensure the building could be used in Academic year 24/25, Ethos had submitted an Accessibility Capital Application in line with the terms and conditions of the grant funding available to special schools as part of the Safety Valve Capital Allocation. Included within the condition reports were additional recommended works; these would be met through contributions from the Academy or capital programmes made available specifically for Academies by the Department for Education.

**Resolved:**

1. That Cabinet note the report and the review undertaken for the existing Council asset Herringthorpe Youth Centre and Library.
2. That Cabinet approve the decision for the Asset to be transferred to Ethos Multi-Academy Trust to provide additional teaching space for Elements Academy following the review.
3. That Cabinet note the total SEMH education places provided by the provision at Herringthorpe would be 30, creating additional SEMH places is a key feature of the latest round of SEND Sufficiency which was introduced to Cabinet in March 2024.

**19. FINANCIAL OUTTURN 2023-24**

Consideration was given to the report which outlined the final revenue and capital outturn position of the Council for 2023/24. The Council set a balanced budget position for 2023/24 as part of the Budget and Council Tax Report 2023/24 which was approved at Council 1 March 2023. A Revenue Budget of £302.2m was set for General Fund services; this excluded schools' budgets and the Housing Revenue Account (HRA). The Medium-Term Financial Strategy (MTFS) contained within that report included a balanced position for 2023/24, 2024/25 and a funding gap of £1.7m for 2025/26. This Budget and MTFS position was based on sound financial assumptions at the time, factoring in cover for service demand pressures in particular within Adult Social Care.

However, the Council had seen significant demand and market pressure challenges across Social Care and Home to School Transport along with inflation remaining high for most of 2023/24. High inflation had continued to cause market pressures driving up supplier prices along with energy prices remaining high compared with historical trends, despite prices

falling during the year. Those pressures had seen the Council's base costs rise further, not only through the Council's own costs increasing for example, through increased energy bills, but the price of goods and services the Councils procured had increased.

The December Financial Monitoring Report 2023/24 submitted to Cabinet on 12 February 2024 outlined that the Council anticipated an overspend of £1.2m. This forecast position was also outlined in the Budget and Council Tax 2024/25 report which was submitted to the same Cabinet meeting and also to Council on 1 March 2024. The overspend was proposed to be funded from the Budget and Financial Strategy Reserve. However, the report noted the Council's intention was to further improve that outturn position, if possible, which would see a lower value call on reserves.

During 2023/24 the Council had successfully delivered agreed savings to help mitigate some of the forecast cost pressures which had arisen from the wider financial impact of inflation, demand led pressures on children's residential placements and Home to School Transport, along with legacy impact of lockdown restrictions on some directorate's services, particularly in Regeneration and Environment (R&E). As a result, the final outturn was improved to £0.1m, down from £1.2m as reported to Cabinet in February 2024, reducing the Council's call on reserves. The Council's final overspend position of £0.1m had been funded by the Treasury Management Savings Reserve and the Council also used £1.4m of reserves to support the Budget, as approved within the Budget and Council Tax Report 2023/24.

The Housing Revenue Account had an underspend of £4.5m. As a result of this the HRA was able to transfer to reserves £4.5m, instead of drawing down £200k, an improvement of £4.7m. This would help the HRA to mitigate the financial challenges presented by increased maintenance requirements over the medium term.

The capital outturn showed slippage and underspend of £11.7m against the Budget for 2023/24 included within the Capital Programme. However, capital expenditure (programme delivery) in the year had achieved a higher level than in previous years at £140.7m, an increase of £10.4m or 8% over the 2022/23 outturn of £130.3m.

A surplus balance position of £2.2m was reported for all 25 maintained schools in Rotherham for 2024/25. There had been a noticeable reduction (£0.7m) in overall school surplus balances when compared to the previous year which could be attributable to the increased cost pressures that schools were facing. There were 3 schools that reported a year-end deficit totalling £0.3m. A budget recovery plan would be agreed with those schools to bring the budget back into a surplus position within an agreed timeframe.

The Budget and Council Tax Report 2023/24 approved the use of £6.3m from Treasury Management Savings Reserve to support the Budget Strategy. Due to the strong position on Treasury Management during 2023/24 the requirement for a transfer from the Treasury Management Savings Reserve had been reduced to just £0.8m, £5.5m less than had been assumed in the Budget and Council Tax Report 2023/24. The total of Corporate Reserves balance at the Financial Outturn 2023/24 was £59m, which was £9.6m more than the £49.4m estimated in the Budget and Council Tax 2023/24 report. The Budget and Council Tax Report 2024/25 planned for £4.2m use of reserves in 2024/25. Based on the 2023/24 financial outturn position, that would leave a total of £54.8m Corporate Reserves at the end of the 2024/25 financial year.

Details on capital budgets variations were detailed in section 2.80 of the report and covered the following schemes: Rotherham Country Parks; Parkgate-Eastwood Bridge; The Alma; Castle View Adult Care Elements; Packman Road; Wath Library and Dinnington Principal Areas of Growth. Appendices 1 to 4 gave a detailed breakdown of the Capital Programme 2024/25 to 2027/28.

Councillor Alam wished to place on record his thanks to the Strategic Director of Finance and Customer Services and her team for their hard work.

The report was considered by the Overview and Scrutiny Management Board (OSMB), who advised that the recommendations be supported. Councillor Steele, Chair of OSMB, confirmed that agency staffing would be added to the Overview and Scrutiny Work Programme.

**Resolved:**

That Cabinet:

1. Note the revenue outturn position.
2. Note the budgeted transfer to HRA reserves increased by £4.7m following the revenue and capital outturn positions.
3. Note the carry forward of the combined schools balance of £2.2m in accordance with the Department for Education regulations.
4. Note the reserves position set out in paragraphs 2.52 to 2.57.
5. Note the capital outturn, funding position and programme variations as set out in paragraphs 2.58 to 2.97.
6. Approve the capital budget variations as detailed in section 2.80 of the report.

## 20. TREASURY MANAGEMENT OUTTURN 2023-24

Consideration was given to the report which provided details of the review on the treasury activity for 2023/24 against the strategy agreed at the start of the year. The report also covered the actual Prudential Indicators for 2023/24 in accordance with the requirements of the Prudential Code.

The Council received an annual treasury strategy report in advance of the 2023/24 financial year at its meeting on 1 March 2023 and Audit Committee received a mid-year report at its meeting on 28 November 2023, representing a mid-year review of treasury activity during 2023/24.

This report met the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council was required to comply with both Codes through regulations issued under the Local Government Act 2003.

The underlying economic and financial environment remained difficult for the Council to predict. Whilst inflation was reducing, the Bank of England Base Rate was being held, keeping borrowing and investment rates high. On investments the main challenge related to concerns over investment counterparty risk. This background encouraged the Council to continue maintaining investments short term and with low risk counterparties. The Bank of England Base Rate increased from 4.25% to 5.25% during 2023/24 as the Bank of England increased interest rates to control inflation. As at 31 May 2024 the base rate remained at 5.25%. This had resulted in increased rates of investment returns during 2023/24.

The Council's use of long term Public Works Loans Board (PWLB) borrowing during 2021/22 (£227m) resulted in the level of short term borrowing gradually falling as existing short term borrowing matured as the Council then held large cash balances. In 2023/24 the Council continued its strategy of utilising the cash balance to minimise the requirement for additional borrowing in the current interest rate environment. As a result there was no requirement for the Council to borrow until December 2023. In 2023-24 the Council borrowed an additional £55m from South Yorkshire Mayoral Combined Authority (SYMCA) and PWLB. In addition, the Council repaid £31.2m of principal on a mix of PWLB and Lender Option Borrower Option (LOBO) loans on which the lender exercised its option to increase interest rates to above market rates.

The factors outlined had had a beneficial outcome to the Council's treasury strategy and enabled additional interest income to be generated during 2023/24. Taken together, the additional return on investments reduced borrowing need and further slippage on the Council's Capital Programme have enabled the Council to transfer £11.3m to support the Council's Budget and to support the Council's Medium Term Financial

Strategy to 2026/27 as approved within the Council's Budget and Council Tax Report 2024/25.

During the meeting it was confirmed that recommendation 1 should reference Section 2, not Section 3.

**Resolved:**

That Cabinet:

1. Note the Treasury Management Prudential Indicators outturn position as set out in Section 2 and Appendix 1.
2. Agree that the report is forwarded to Audit Committee for information.

**21. MAY 2024-25 FINANCIAL MONITORING REPORT**

Consideration was given to the report which set out the financial position as at the end of May 2024 and forecast for the remainder of the financial year, based on actual costs and income for the first two months of 2024/25. Financial performance was a key element within the assessment of the Council's overall performance framework and was essential to achievement of the objectives within the Council's policy agenda. To that end, this was the first financial monitoring report of a series of reports for the current financial year which would continue to be brought forward to Cabinet on a regular basis.

As at May 2024, the Council currently estimated an overspend of £4.6m for the financial year 2024/25. This was largely due to demand led pressures on children's residential placements, adults social care packages and home to school transport. In addition, the Council was still impacted by the inflationary pressures in the economy, even though inflation had fallen to 2.3%, the Council's base costs had significantly increased across the recent high inflation period. Increased costs across this period were also being felt by the social care market in particular. This was leading to market prices increasing at above inflation levels, placing further pressures on the Council's Budget. Early indications also suggested that the Local Government Pay Award would be higher than anticipated when setting the Council's Budget; the Council had no control over the level of pay award agreed.

The Directorate overspend stood at £14.5m which was concerning. However, elements of the overspend were forecast and two key budget contingencies were created as part of setting the Council's Budget and Medium Term Financial Strategy for 2024/25. The Council set a Social Care Contingency of £3.4m and a Corporate Budget Provision of £3.5m to support anticipated pressures across Social Care and Home to School Transport, whilst detailed review work of these services was undertaken,

and operational improvements were delivered to reduce cost pressures and create cost avoidance.

The Council's Treasury Management Strategy continued to perform well with the Council's approach to borrowing adapted to minimise the level of borrowing and borrow short term to ultimately minimise interest costs. This position had also improved due to the re-profiling of the Capital Programme delivery, which pushed back the need to borrow. It was estimated that this approach should see the Council generate savings of at least £3m for 2024/25, It was noted that market conditions were however out of the Council's control. As a result of those corporate provisions and savings, an underspend of £9.9m was forecast within Central Services bringing the Council's net overspend down to £4.6m.

The Leader confirmed that there would be challenges ahead and that would require financial discipline from the Council.

**Resolved:**

That Cabinet:

1. Note the current General Fund Revenue Budget forecast overspend of £4.6m.
2. Note that actions will continue to be taken to reduce the overspend position but that it is possible that the Council will need to draw on its reserves to balance the 2024/25 financial position.

**22. EQUALITIES ANNUAL REPORT**

Consideration was given to the report which highlighted the progress made over the past year towards achieving the equalities objectives and outcomes set out in the Council's Equality, Diversity and Inclusion (EDI) Strategy 2022/25. Publishing the annual report formed part of the Council's Public Sector Equality Duty.

The report also detailed the 2024/25 action plan which provided a forward look aligned to the Year Ahead Delivery Plan actions that would deliver Equality, Diversity and Inclusion outcomes. In addition, there were actions within the plan that would help deliver outcomes on the journey towards 'excellent' under the Equality Framework for Local Government. These were outlined in paragraph 2.9 of the report and Appendix 2.

The EDI Annual Report (attached as Appendix 1) was structured around the four objectives of the Council's Strategy. Against each of these themes the report also provided a summary of some of the activity undertaken relative to the requirements of the Equality Framework for Local Government. The four themes of the EDI Strategy and annual report were:



- Understanding, Listening to, and Working with Rotherham's Communities.
- Providing Leadership and Organisational Commitment to Actively Promote Equalities.
- Delivering Accessible and Responsive Services that Meet Diverse Needs.
- Ensuring a diverse and engaged workforce.

Key achievements in 2023/24 around the four themes were highlighted in paragraph 2.4 of the report. Paragraph 2.5 of the report highlighted real life experiences and learning from the past year.

It was noted that as part of their manifesto that was published prior to the General Election, the Government committed to enacting the socio-economic duty in the Equality Act. This duty required public bodies to adopt transparent and effective measures to address the inequalities that resulted from differences in socio-economic status. Subject to the successful completion of the legislative process to enact this duty, the EDI action plan would be revised accordingly to ensure that this was an integrated part of the Council's activity. Given the nature of its vision and objectives, the Council Plan and the relevant elements of the Year Ahead Delivery Plan appeared to provide a strong starting point for this due to its focus on inclusion.

**Resolved:**

That Cabinet:

1. Note the progress made over the past 12 months towards achieving the equalities objectives and outcomes set out in the Council's Equality, Diversity and Inclusion Strategy 2022/25.
2. Note the next steps outlined within the Equalities Annual Report and action plan for 2024/25.

**23. HOUSING DELIVERY PROGRAMME REPORT 2024-25 UPDATE**

Consideration was given to the report which provided an update on the Housing Delivery Programme, summarising progress since the previous programme report was approved by Cabinet in January 2024. There were several changes required to the programme which required renewed approvals from Cabinet.

Overall, from 1 January 2018 to 31 May 2024, the Council had successfully delivered 565 new Council homes consisting of 430 homes for rent and 135 homes for shared ownership. Of these new homes:

- 395 of these homes have been delivered through Council-led construction.

## THE CABINET - 29/07/24

- 16 homes have resulted from conversion of existing Council assets into new homes, and
- 154 are from the strategic acquisition of homes from private developers and the open market.

The Council had also built 125 new homes for market sale. An updated photographic summary of delivery was provided at Appendix 3. Paragraphs 1.6 to 1.9 of the report detailed the progress made since December 2023.

As of 31 May 2024, the Council was in contract to deliver a further 85 homes with an estimated 60 homes for rent and 3 for shared ownership expected to be completed by March 2026. This means a cumulative total of 621 Council homes were already complete or contracted for completion by March 2026. This excluded homes built for market sale and homes which were due to be delivered after March 2026. The latest programme position was summarised in paragraph 1.11 of the report with further detail provided in Appendix 1 and Exempt Appendix 2.

The changes to the programme were outlined in paragraph 1.13 of the report. These included the addition of a Council-owned site, The Lanes at East Dene (estimated 2 homes); the removal of a Council-owned site, Mill Lane at South Anston (estimated 3 homes); the addition of nine schemes through strategic acquisitions (estimated 139 homes) and the removal of two strategic acquisition schemes (estimated 34 homes).

Following site investigations and internal conversations, the decision had been made to propose the removal of Mill Lane from the Programme due to the known site constraints and high indicative costs for build. The Council would look to dispose of the site through either open market sale or auction (to be determined following valuations). The estimated site value was just under the monetary threshold for Cabinet approval however as it was close to the threshold, it could exceed the limit that would require Cabinet approval. As this site had incurred costs allocated for the Programme, it was proposed that the Capital receipt from the disposal of the site be ringfenced and repurposed on other sites within the Programme.

Councillor Allen highlighted the consultation details as set out in section 4 of the report. The risks and mitigations were summarised at paragraph 13.2.

### **Resolved:**

That Cabinet:

1. Approve the newly identified Council-owned site listed in Appendix 1 being brought forward to deliver new Council homes.

2. Approve the removal of Mill Lane, South Anston from the Housing Delivery Programme as listed in Appendix 1.
3. Approve the disposal of Mill Lane, South Anston via open market sale or auction.
4. Approve the Capital receipts received from the disposal of Mill Lane, South Anston being ringfenced for sites within the Housing Delivery Programme.
5. Approve the purchase of homes from any of the schemes identified in Exempt Appendix 2.
6. Note that authority to purchase up to 100 homes from the market has been delegated to the Assistant Director for Housing following approval of the Housing Acquisitions Policy Cabinet report on 16 October 2023. The 100 homes provision was now reflected in Exempt Appendix 2.
7. Agree to continue to receive an update on the housing development programme every six months.

#### **24. HOUSING DELIVERY PROGRAMME: FAR LANE DEVELOPMENT**

Consideration was given to the report which sought approval from Cabinet to develop the Council-owned Far Lane site in East Dene. It was projected that the site (identified in Appendix 1) would deliver up to 14 new homes.

Far Lane was a Council-owned land asset held in the Housing Revenue Account. The site was first approved for development by Cabinet in January 2023 as part of the 'Housing Development Programme Report – 2023/24'. The site was allocated for residential development within the Council's adopted Local Plan (site reference H28). The Sites and Policies document indicated an indicative capacity of 13 dwellings. The site was currently an unused garage plot site on which fly tipping was an issue, with high costs to clear and maintain the land.

The site had been included within the previous Programme report to Cabinet meaning that release of the site for the purpose of new housing development has been approved in principle. The report sought approval from Cabinet to build an estimated 14 x 2-bed apartments on the site. Early surveys had been commissioned following which indicative plans had been produced. The final designs were subject to change in line with recommendation 2 of the report.

The apartments would be low-rise, with their own direct access via a front door. There would be no internal communal areas and they would be constructed to meet Secure by Design standards. An indicative layout was provided in Appendix 2.

The East Dene locality was situated within the Rotherham East Ward. Rotherham East had the highest number of Council homes in Rotherham (1,989) with the highest number of three-bedroom houses (973), two-bed houses (293) and one-bed bungalows (257) of all wards in the Borough. These were also the most common house type within the ward. In comparison to Rotherham's overall split of house types, Rotherham East had a below average percentage of bungalows and flats.

Although Rotherham East had the highest number of Council homes of all wards, it was also losing the highest percentage of homes through the Right to Buy, therefore whilst the new homes would still be subject to Right to Buy, new housing delivery in this ward was key to helping meet continuing high levels of demand. The area was popular with a higher-than-average number of bids for all property types, with three-bed properties receiving over double the borough average. One and two-bed flats also exceeded Rotherham's average bids and whilst the data did not record the two-bed flats as the highest demand property type, they did have the lowest turnover of any of the property types in the area for 2023.

**Resolved:**

That Cabinet:

1. Approve development of the Far Lane site, to build up to an estimated 14 new Council homes.
2. Delegate authority to the Assistant Director of Housing, in consultation with the Cabinet Member for Housing, 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.

**25. TENANT SATISFACTION MEASURES AND REGULATORY COMPLIANCE**

Consideration was given to the report which summarised the work underway to meet the revised consumer standards from the new regulatory framework for social housing and prepare for an inspection by the Regulator of Social Housing. The report also included the Council's 2023-24 Tenant Satisfaction Measures (TSMs) which was submitted to the Regulator in June 2024. These were attached to the report at Appendix 1.

Tenant Satisfaction Measures (TSMs) were a series of 22 performance measures, which had to be collected by all social housing landlords with more than 1,000 properties. Data for ten of the performance measures was submitted directly by the Council. Data for the other 12 performance measures was captured through a Tenant Perception Survey. The performance measures, including the survey questions, were prescribed by the Regulator and could not be deviated from.

KWest Research Limited were procured to complete the Tenant Perception Survey on behalf of the Council in accordance with the Regulator's requirements. Kwest surveyed 1,041 of Rotherham's tenants (equivalent to 5% of tenants which was the minimum prescribed sample size). 85% of the surveys were conducted by telephone and 15% by email. Appendix 2 contained Kwest's Tenant Perception Survey report.

In March 2024, overall satisfaction with the service (TP01) was 77%. The Council last conducted a detailed tenant satisfaction survey in 2017. Overall satisfaction with the service then was 83%. This downward trend was mirrored nationally, with overall satisfaction amongst social housing tenants declining year on year from 72% in 2020/21 to 65% in September 2023 according to data from Housemark, the leading social housing market intelligence company.

During the meeting the Assistant Director of Housing explained that a key area for tenants was the condition of their homes. 78% of tenants surveyed told the Council they were satisfied that their home was well maintained, and 81% were satisfied that their home was safe. The results also indicated that tenants generally felt they were kept informed (74%), were treated with fairness and respect (84%), and that the Council listened to them and acted on their views (71%). However, as with other areas, older tenants tended to be more satisfied than younger tenants across these measures.

Satisfaction with complaints handling had emerged as a significant issue across many housing providers and this was also true of the Council, with just 36% of tenants saying they were satisfied with complaints handling processes. Notably, the results suggested that significantly more tenants believed that they have made a complaint than had actually done so via the formal complaints process. This suggested that tenants' view of what constituted a complaint was much wider than the scope of the Council's Complaints Policy. It was confirmed that this area would be prioritised for improvement activity supported by further engagement with tenants.

**Resolved:**

That Cabinet:

1. Note the Council's 2023-24 Tenant Satisfaction Measures and Tenant Perception Survey Results (appendices 1 and 2).

2. Note the work underway to meet the revised consumer standards and prepare for an inspection of the Council's Housing Service.
3. Agree to receive a further update in six months' time.

**26. COUNCIL PLAN AND YEAR AHEAD DELIVERY PLAN PROGRESS UPDATE**

Consideration was given to the report which presented the Year Ahead Delivery Plan for 2023-24 Monitoring Report (Appendix 1.). This was the second such report with the first being presented to Cabinet on 22 January 2024. The report also contained the proposed revised performance measures targets for 2024-25 (Appendix 2) and the new Year Ahead Delivery Plan for 2024-25 (Appendix 3.)

As of 11 July 2024, the activities within the Year Ahead Delivery Plan were rated as follows:

- 78% (76) complete
- 0% (0) were on track to be delivered by original target date
- 4% (4) were delayed by less than 3 months
- 18% (18) would not be met within 3 months of original target date.

In terms of Year-end performance, 59% of measures were on or above target.

To ensure the Council remained focussed on working towards the outcomes and commitments set out in the Council Plan, a review of the Council Plan performance measures had been conducted and a new Year Ahead Delivery Plan developed for 2024-25. The Council Plan was in place until 2025 and therefore, as the final year of the plan period, the number of revisions to targets had been kept to a minimum (8 changes in total). The changes made were to align targets to the latest benchmarking data and ensure those were aspirational but achievable. The definition for the way in which some measures were calculated (3 in total) had also been revised, to provide a more accurate picture of activity.

The Leader confirmed that work had begun on the new Council Plan that would commence in 2025 and this would be consulted on over summer 2024.

Members of Cabinet were invited to detail the achievements against the priorities from the last year:

Councillor Cusworth highlighted the:

- Delivery of year one and two of the Rotherham Family Hubs programme.
- Opening of a new two-bedroom residential home.

- Training of 13 young people via the Independent Travel Training Scheme.
- Launch of the Early Help Strategy and Corporate Parenting Strategy.

Councillor Allen highlighted:

- Housing delivery with over 565 homes added to the Council home portfolio between January 2018 and June 2024.
- Good scores from the Tenant Satisfaction Measures survey.
- The improvements in dealing with new claims for Housing Benefits and Council Tax Support.
- The meeting of the 100% target for the proportion of council housing stock that met the “Decent Homes” standard.
- The case study on the new energy efficient Council housing development in East Herringthorpe.

Councillor Sheppard highlighted:

- The provision of 75,904 food vouchers for free school meals in the school holidays.
- The Rotherham Health Holidays Programme.
- The new model for food crisis provision.
- Council Tax support schemes.
- The opening of Swinton Library.
- The opening of 14 new playgrounds.

Councillor Sheppard confirmed that there would be delays to the restoration of Waterloo Kiln, but it was estimated to be completed by September 2024.

Councillor Alam highlighted:

- The completion of the second phase of CCTV investment.
- The number of community protection notices issued (1,193 against a target of 1000.)
- The increase in the engagement rate with domestic abuse support services.
- The implementation of a new model of equalities engagements including a new dedicated post.
- The launch of the new Management Development Programme.
- The increased participation in the Employee Opinion Survey.

Councillor Alam noted that positive outcomes for hate crime investigations was 7.6% at year-end against a year-end target of 20%.

The report was considered by the Overview and Scrutiny Management Board (OSMB), who advised that the recommendations be supported. Councillor Steele noted the improvements to the format of the report.

**Resolved:**

That Cabinet:

1. Note the overall position in relation to the Year Ahead Delivery Plan activities.
2. Note the Quarter 4 and year-end 2023-24 data for the Council Plan performance measures.
3. Agree the revised Council Plan performance measure targets and new Year Ahead Delivery Plan for 2024-25 for the final year of the current Council Plan.
4. Note that future progress reports will be presented to Cabinet in January and July 2025.

**27. APPOINTMENTS TO OUTSIDE BODIES**

Consideration was given to the report which presented the nominations received for appointments to outside bodies. Outside bodies were external organisations which had requested that the Council appoint a representative to them. Outside bodies had separate governance structures to the Council. Appointments to outside bodies could be an important mechanism for community leadership, partnership and joint working and knowledge and information sharing.

The Council's Constitution stated that Cabinet was responsible for the appointments to Outside Bodies. This report presented the nominations received and recommended the appointment of the nominees to the various organisations and partnerships. Details of the appointments were attached in Appendix 1 to the report.

**Resolved:**

That Cabinet:

1. Agree that Councillors be appointed to serve on outside bodies, as detailed on the schedule in Appendix 1.
2. Agree that any in year changes are agreed by the Chief Executive in conjunction with the Leader of the Council.

**28. CHILDREN'S CAPITAL OF CULTURE**

Consideration was given to the report which set out the impact of the Children's Capital of Culture programme to date, and the external funding secured. It also set out the proposed future delivery arrangements, and the likely spend, along with the assurance mechanisms in development in



line with the Council's role in the project as a facilitator and accountable body. A breakdown of the funding was attached to the report at Appendix 1 and the programme decision making framework was attached at Appendix 2. Details of partner support for Children's Capital of Culture was attached at Appendix 3.

In 2025, Rotherham would become the world's first Children's Capital of Culture. This was one of seven "game-changers" as set out in the Rotherham Cultural Strategy, approved by Cabinet in June 2019. Children's Capital of Culture was a title bestowed upon Rotherham by its young people. It was devised by them as a way to change how young people feel about their hometown and create positive opportunities for children and young people across the Borough.

The delivery of the Children's Capital of Culture initiative was split into four chapters:

- Chapter 1: Starting the Conversation, delivered from August 2021 through to December 2022
- Chapter 2: Taking Shape, delivered from January 2023 through to December 2024
- Chapter 3: Festival Year, delivered throughout 2025
- Chapter 4: Keeping Momentum, delivered from 2026 onwards

The Children's Capital of Culture Programme was estimated to attract funding in the region of £13.9m between 2021 and 2026. This included all the build-up activity set out in Section 2 of the report, the Festival programme activities, additional staffing, marketing and the independent evaluation required as a condition of external funding.

Section 2.2 of the report set out how the 2025 festival year (chapter 3) was being developed. This included the themes, the projected outcomes, the quality principles, the programme strands and the curation and programming process. Section 2.3 outlined the funding arrangements and 2.4 detailed the role of the Cultural Partnership Board.

During the meeting, Councillor Sheppard highlighted the following quote from Maggie Atkinson, Former England Commissioner for Children:

*The idea of creating the Children's Capital of Culture – the first ever such initiative in the UK – should not be underestimated. This initiative...will be part of creating Rotherham's future self. Nowhere else in the UK is doing this, with this ambition or at this scale."*

Cabinet Members expressed their support for the programme and excitement for the year to come.

**Resolved:**

That Cabinet:

1. Note the progress of the Children's Capital of Culture initiative, the impact of the programme to date, and the external funding achieved.
2. Note the proposed programming themes, anticipated outcomes, quality principles and key activities of the 2025 Festival Year.
3. Approve the proposed spend, subject to the successful achievement of the external fundraising activity as set out in Appendix 1.
4. Approve the proposed governance arrangements for the remainder of the programme, including:
  - the role of the Cultural Partnership Board in leading the delivery of the programme.
  - the Council's role in the project as a facilitator and accountable body.
  - the development of the activity programme and the Programme Decision-Making Framework (Appendix 2.)
  - the proposed arrangements with project delivery partners.
5. Delegate approval of the remaining activities of the Children's Capital of Culture programme to the Strategic Director of Regeneration and Environment in consultation with the Deputy Leader and Cabinet Member for Social Inclusion and Neighbourhood Working.

**29. LOCAL PLAN CORE STRATEGY**

Consideration was given to the report which provided an update on the five year review of the Local Plan Core Strategy that had been refreshed in light of new legislation, changes to the National Planning Policy Framework, Census 2021 and other local policy changes. The review indicated that some policies in the Core Strategy required updating for consistency with national planning policy.

The Core Strategy Partial Update consisted of changes to planning policies on housing, flood risk and water management, climate change, improving public health, carbon reduction, and Social Value. It reflected new Council policies introduced since the current Core Strategy was adopted, such as the declarations on climate emergency and nature crisis, and the priority of achieving Social Value. An update of the infrastructure requirements to support new growth was also included.

The five year review had identified that Rotherham had sufficient housing sites allocated that met the identified requirement. As such, the Council was in a strong position with regards to the Local Plan. Public consultation on the Core Strategy Partial Update would not include a review of existing housing sites, nor would it seek suggestions for new housing sites within the Borough. It would be limited to the wording changes to those planning policies identified by the five year review as requiring an update.

It was noted that there could be changes to legislation and planning policy by the new Government. Any changes that impacted upon the proposals outlined would be subject of further reports to Cabinet.

Appendix 1 to the Core Strategy Partial Update was the technical focus of the consultation. It provided a “track changed” version of each policy to be updated, showing the changes that would apply from the Council’s preferred option given in section 4. Views were sought on the specific wording changes to each policy and the replacement of the Infrastructure Delivery Schedule in the Core Strategy with an updated schedule to reflect the 2021 Infrastructure Delivery Study. A summary of the main changes to the Core Strategy policies was at paragraph 2.13 of the report.

Subject to Cabinet approval, public consultation in line with relevant legislation and the Council’s Statement of Community Involvement would be undertaken of the Core Strategy Partial Update for a period of six weeks from August to September 2024. The consultation would be carried out online using the Council’s Local Plan consultation website.

**Resolved:**

1. That Cabinet approves the publication of the refresh of the Core Strategy five year review on the Council’s website.
2. That Cabinet approves public consultation on the Core Strategy Partial Update consultation draft.

**30. LOCAL DEVELOPMENT SCHEME**

Consideration was given to the report which outlined the revised Local Development Scheme (LDS). The LDS set out a project plan for the preparation, adoption and review of Rotherham Local Plan documents. The revised LDS, attached to the report at Appendix 1, would amend the timetable for the partial update of the Local Plan Core Strategy and include the preparation of a South Yorkshire Joint Waste Plan.

It was important that the Council adopted a realistic and achievable programme for the Core Strategy Partial Update. The process of adopting the plan would involve examination by the Planning Inspectorate; one of the legal compliance checks by the inspector was that the document had been produced in conformity with the timetable set out in the LDS.

Milestones for the Core Strategy Partial Update were summarised in paragraph 2.3 of the report.

In relation to the South Yorkshire Joint Waste Plan, the report stated that all waste planning authorities were legally required to have an up-to-date development plan including policies covering the strategic planning policy requirements for waste. The waste planning policies for Barnsley, Doncaster and Rotherham Councils were currently contained within the Barnsley, Doncaster, and Rotherham (BDR) Joint Waste Plan 2012 to 2026. The BDR Waste Plan was time limited to 2026, and Sheffield was reliant on “saved” waste policies from its Core Strategy. As such, all the South Yorkshire authorities were in a position where they needed to progress a Waste Local Plan. Officers had worked with the other South Yorkshire authorities to complete a joint Waste Needs Assessment (April 2022) to provide evidence to underpin the preparation of a South Yorkshire Joint Waste Plan. A steering group for the work was established and a Memorandum of Understanding on joint working has been agreed via a delegated decision in December 2023. Milestones for the Joint Waste Plan were summarised in paragraph 2.4 of the report.

The costs for the Joint Waste Plan and required evidence base were estimated to be in the region of £400,000 in total. These costs would be incurred for work that could not be completed in house and other statutory costs such as Sustainability Appraisal, Flood Risk Assessment, Habitats Regulations Assessment, Heritage Impact Assessment, Equalities Impact Assessment, Transport/Infrastructure Study, site assessment work and plan drafting and Planning Inspectorate fees for independent examination. Accurate costs for each element were not known at present as they were dependent on the scope of work required. This would not be determined until preliminary work on the plan was completed, and the number of candidate sites was known. Those costs would be shared among the four authorities based on the population size of each authority. Rotherham’s population was around 19% of the South Yorkshire total, resulting in a contribution of around £77,000. This contribution was expected to be required over the financial years from 2024/25 to 2026/27.

**Recommended to Council:**

1. That Cabinet recommends to Council that the revised Local Development Scheme be adopted at the next available meeting.

**31. STRATEGIC COMMUNITY INFRASTRUCTURE LEVY (CIL)**

Consideration was given to the report would set out the formal process for inviting and considering applications for Strategic Community Infrastructure Levy (CIL) funding for infrastructure projects. It also described the approach to assessing project benefits and drawing up an overall programme of Strategic CIL-funded projects for Cabinet to consider. There had been no expenditure of Strategic CIL funds to date. The report did not concern Local CIL funds, which were passed directly to

parish councils or spent in non-parished areas in consultation with local communities.

The Community Infrastructure Levy (CIL) was a charge that local authorities could apply to new development in their area. It was an important tool for local authorities to use to help them deliver the infrastructure needed to support development in their area. Most new developments were potentially liable for the levy while some developments were eligible for relief or exemption from the levy. For example, social housing was eligible for relief.

The total CIL income received by the Council was divided into three “pots”:

- Strategic CIL (80%) – for infrastructure to support new development from implementing the Local Plan.
- Local CIL (15%) – passed to parishes for local infrastructure priorities (25% with a Neighbourhood Plan adopted); for non-parished areas, held by the Council to spend in consultation with local communities.
- Admin (up to 5%) – retained by the Council to cover ongoing administration costs.

The amount collected was constantly updated as developer CIL payments were received. At the time of writing the report, the Council held approximately £8.4m in the Strategic CIL fund. The Council did not necessarily need to spend the full amount of Strategic CIL available; unlike Section 106 sums, CIL payments from developers were not time-limited and did not have to be repaid. This allowed the Council to accumulate Strategic CIL income to fund projects that might exceed the income currently held and/or phase funding over the life of a longer term project. There had been no expenditure of Strategic CIL funds to date.

Section 2 of the report set out the process for identifying and assessing potential CIL projects. A pilot exercise had been undertaken in January/February 2024 to help test the process. The application form and assessment scoring system had worked effectively in the pilot exercise. The degree and level of information set out in the application form and provided as supporting information was a critical factor in assessing projects, and some refinements were made to the form to clarify this for applicants. Details were also provided on the Strategic CIL Funding Process.

**Resolved:**

1. That Cabinet approve the formal process for the allocation of Strategic CIL funds and for the process to be applied annually.
2. That Cabinet approve delegation to the Strategic Director for Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs and the Local Economy, to make

further refinements to the Strategic CIL application form and assessment scoring (Appendices 1 and 2) if required by implementation experience or legislative changes. The allocation and spend of Strategic CIL funds would remain a Cabinet decision.

### **32. COUNCIL BUILDING DECARBONISATION PROGRAMME**

Consideration was given to the report which provided an update and requested approvals on three key areas relating to the Council Building Decarbonisation Programme. These were:

- The delivery of Public Sector Decarbonisation Scheme (PSDS) Project on Council buildings.
- The conversion of heating systems within Council buildings, through PSDS, to accept a District Heat Network (DHN) connection.
- The outcome of the Procurement of a supplier to provide heating through a DHN.

In the Cabinet Report of 18 September 2023, Cabinet approved a programme of decarbonisation projects funded by PSDS and the Council as well as the overall approach to procure a supplier of heat via a DHN. The approved programme specified five Council buildings (Riverside House, Civic Theatre, Clifton Park Museum, Orchard Centre and the Town Hall). As well as the Energy Conservation Measures (ECM's), the works included a series of enabling works in preparation to connect to a DHN. To facilitate the connection to a DHN, Cabinet also approved in the September report, the overall approach to procure a supplier of heat via a DHN.

Cabinet approved that following completion of these works and the procurement, a report would be submitted to Cabinet detailing the outcome of the procurement, its financial feasibility and recommendations for heat delivery for the five buildings. If financially feasible, and following a return to Cabinet for approval, the Council could then enter into a heat delivery contract to provide the heat to these buildings upon final connection. This report therefore provided an update on the scheme, summarised the challenges experienced, and presented a proposed approach to decarbonise the five buildings affected and presented four further sites for future decarbonisation.

The financial implications associated with the report were included within exempt Appendix 1. As a result of delays to the Heat Network development, grant funding deadlines would not be met, so therefore if the Council was to progress the proposal, additional Council capital funding would be required from the approved Capital Decarbonisation budget. In addition, there were ongoing revenue implications if the proposal was to be accepted.

**Resolved:**

That Cabinet:

1. Approve the further use of the Council's Decarbonisation Capital Budget for the original five buildings to a total value of up to £2,321,985. This could be reduced if the project moves at a greater pace than expected.
2. Approve a further allocation of up to £1,000,000 for the connection costs of the District Heat Network to Council buildings from the Council's Decarbonisation Capital Budget, should Officers not agree and finalise funding via PSDS.
3. Approve entering into negotiations, with the organisation which submitted a bid, within the parameters of procurement law to achieve the best value for money with the intention to connect the five buildings to a heat network and subsequently enter into a supply agreement, if financially feasible.
4. Approve feasibility, scoping and costs estimate work to be carried out on the additional four buildings and to delegate authority to the Assistant Director of Property and Facilities Services in consultation with the Strategic Director, Finance & Customer Services and Cabinet Member for Transport, Jobs and the Local Economy to allocate necessary funds from the Capital Programme, subject to satisfactory feasibility and project review.
5. Delegate the authority for award and any necessary technical changes to the above scope of works of the nine buildings listed above to the Assistant Director of Property and Facilities Services in consultation with the Strategic Director, Finance & Customer Services and the Cabinet Member for Transport, Jobs and the Local Economy.

**33. DINNINGTON PROJECTS (LEVELLING UP FUND) UPDATE REPORT**

Consideration was given to the report which provided an update on development of the Dinnington Projects scheme and the acquisition of the various property interests. The report sought approval to proceed with implementation and sought confirmation of the provisional allocation of £1 million of the Towns and Villages Fund to support the regeneration of Dinnington.

Following Cabinet approval to accept the grant and proceed in August 2023, the Council had developed the scheme feasibility and design. The proposed scheme focussed on high quality place making to improve the heart of the Town Centre, increase footfall, boost the local economy, and restore a sense of pride in the area. The area selected for this scheme and proposed designs were shown at Appendix 1.

Of the existing site, six commercial units, the indoor market, the burnt-out building fronting Laughton Road, the Dinnington Colliery Band building, and the fixed outdoor market stalls were proposed for demolition. The new development would provide six replacement commercial units and a larger commercial/community building, all overlooking a new landscaped town square that would accommodate the market and provide better pedestrian links between Laughton Road and the bus interchange/Constable Lane car park.

Following the consultation events in the autumn of 2023 and the spring of 2024, the design of the scheme was being finalised and it was anticipated that a detailed planning application would be submitted in Summer 2024. A Royal Institute of British Architects (RIBA) Stage 3 compliant cost plan had been developed and a breakdown of the capital and revenue financial implications of the scheme was included at Appendices 2 and 3.

The scheme was now sufficiently developed to commence the procurement of a contractor and proceed to the delivery on site. The report sought Cabinet approval to implement the project within the scope and budget outlined in Appendix 2. Any material variation to this would be subject to further Cabinet approval.

**Resolved:**

That Cabinet approve:

1. The delivery of the Dinnington Principal Areas of Growth project within the scope and budget as detailed in Appendix 2.
2. Confirmation of the provisional allocation of £1m of the Towns & Villages Fund to works at Dinnington.

**34. WATH PROJECTS (LEVELLING UP FUND) UPDATE REPORT**

Consideration was given to the report which reported on the progress made since July 2023 on the Wath Projects scheme. Approval was sought to proceed with implementation of the project and confirmation was sought regarding the provisional allocation of £1 million of the Towns and Villages Fund (in addition to the £8.94m previously agreed) to support the regeneration of Wath.

Following Cabinet approval to accept the grant and proceed in July 2023, the Council had developed the scheme feasibility and design as outlined in Appendix 1. The proposed Scheme included demolition of the existing library and the creation of a brand-new library to create a modern, inviting, and inclusive community facility. The redevelopment was being designed to enhance the visitor experience between Biscay Way and the High Street to encourage visitors into the town centre.



The redevelopment would deliver facilities of a modern standard, with sustainable and inclusive design. It would also tackle persistent anti-social behaviour issues through the enclosure of the residential staircase and public passageway that ran between the library and the adjacent residential and commercial block. This intervention would make the staircase accessible to residents of the block only through a private entry system. With the majority of the block in Council ownership, the new enclosed staircase would be managed by RMBC Housing services.

The Scheme was proposed subject to full planning permission. An application for planning permission would be made in Summer 2024. A RIBA Stage 3 compliant cost plan had been developed and a breakdown of the capital and revenue financial implications of the scheme was included at Appendix 2.

The Scheme was now sufficiently developed to commence the procurement of a contractor, completion of a detailed design and proceed to the delivery on site. The report sought Cabinet approval to implement the project within the scope and budget outlined in Appendix 2. Any material variation to this would be subject to further Cabinet approval.

**Resolved:**

That Cabinet approve:

1. The delivery of the Wath Principal Areas of Growth project within the budget and scope as detailed in Appendix 2.
2. Confirmation of the provisional allocation of £1m of the Towns & Villages Fund to works at Wath.

**35. ROTHER VALLEY COUNTRY PARK AND THRYBERGH COUNTRY PARK LEVELLING UP FUND IMPLEMENTATION AND PROGRESS REPORT**

Consideration was given to the report which provided details on the development of the regeneration projects for Thrybergh Country Park and Rother Valley Country Park (both Council facilities and assets), which had been awarded funding via the Leisure Economy Levelling Up Fund (LUF). The report contained details of the altered scope of the projects, updated costs, and timeframes.

The report also sought a variation to increase the project budgets in line with the figures in exempt Appendix 1. These budget variations were in line with the Pathfinder Pilot local assurance processes and were necessary owing to inflation and cost increases since the bid was submitted. Consequently, officers from Culture Sport & Tourism and Regeneration worked up alternative proposals with scope changes including the preferred option to proceed with the construction of the new

build waterfront café and new car park at Rother Valley Country Park (Appendix 2), and a refurbished café and outside space for up to 100 people at Thrybergh Country Park.

This option delivered most closely the original intentions of the LUF scheme in that it would achieve improvements at both sites, creating impact for residents and delivering the greatest economic benefits and supporting the financial recovery of Rother Valley Country Park. However, this was at a reduced scope to that set out to Cabinet in August 2023 and it came at an additional cost.

Sub-contract work packages had been tendered for Rother Valley and Kier would proceed with construction of the new facilities post Cabinet in September 2024 with completion in October 2025. The proposal for Thrybergh was not to proceed into the Stage 2 contract with I&G Ltd. Instead, the scope of this scheme would change to a refurbishment scheme which was being designed by the Building Consultancy Service in consultation with Culture, Sport and Tourism. The scheme would be designed within the budget set out in Appendix 1 and would be subject to a procurement procedure in terms of the build. This solution would enable both projects to proceed within the available budget envelope.

**Resolved:**

1. That Cabinet approve the altered scope, the updated costs and additional funding for the Country Parks Project as shown in Appendix 1.

**36. 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.

**37. DATE AND TIME OF NEXT MEETING**

**Resolved:-**

The next meeting of the Cabinet would be held on Monday 16 September 2024 commencing at 10.00am in Rotherham Town Hall.