

**THE CABINET
16th October, 2013**

Present:- Councillor Stone (in the Chair); Councillors Doyle, Lakin, McNeely, R. S. Russell, Sharman, Smith and Wyatt.

Also in attendance Councillor Whelbourn (Chairman of the Overview and Scrutiny Management Board)

C89 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

C90 DECLARATIONS OF INTEREST.

There were no declarations of interest to report.

C91 MEMBERS' TRAINING AND DEVELOPMENT PANEL

The Leader, introduced the minutes of the Members' Training and Development Plan held on 9th September, 2013.

Resolved:- (1) That the emerging issues be noted.

(2) That the minutes held on 9th September, 2013 be received.

C92 ROTHERHAM LOCAL PLAN STEERING GROUP

Councillor Smith, Cabinet Member Regeneration and Development, introduced the minutes of the Rotherham Local Plan Steering Group held on 13th September, 2013.

Resolved:- (1) That the progress to date and the emerging issues be noted.

(2) That the minutes of the Local Plan Steering Group held on 13th September, 2013 be received.

C93 PROPOSED RESTRUCTURE OF RMBC PUPIL REFERRAL UNITS

Councillor Lakin, Cabinet Member for Children, Young People and Families Services, introduced a report by the Strategic Director of Children and Young People's Services, which detailed how in recent years, there had been a changing landscape for the national alternative provision sector.

The Charlie Taylor Report on Improving Alternative Provision made a range of recommendations to re-shape provision and how better to meet the needs of those children on the periphery and outside of mainstream education. In acknowledging the principles of the report, the Local Authority, in partnership with schools, conducted a review of existing pupil referral unit provision in Rotherham and at the same time had to take account of the implementation of the Schools Funding Reforms 2013-14.

The existing pupil referral unit provision consisted of three 'partnership' pupil referral units (Riverside, St. Mary's and the Bridge), the Rowan Centre (for pregnant schoolgirls and teenage mothers) and the ARC (for primary pupils (Y1-4) plus some KS3 pupils with more complex needs). In addition, there was a primary SEN Unit at Thorogate School for Y5/6 pupils and an Alternative Curriculum Service that organised and managed off site provision for pupils that schools felt unable to cater for.

Details around the current provision were set out in detail as part of the report and further information was provided on the new proposal of having two PRU units – one a 65-place (secondary) pupil referral unit located across 2 sites (currently St Mary's and Riverside) offering part-time, full-time, short and long-term placements. GCSEs would be offered as well as appropriate vocational courses. Links to both pre and post-16 offers at further education were intended. This would be operational with effect from January, 2014 which would leave the Bridge premises vacant.

The primary provision under this proposal was still subject to review as the current system was not meeting pupil or school needs.

The PRU 2 would be a 25-place specialist centre (jointly funded through the Local Authority and Barnardo's at Rowan in Rawmarsh) that would support the education of pupils with a range of health needs including teenage pregnancy. It was proposed that transition to this wider range of provision would take place from September to October with the centre being fully operational with its revised remit from October half-term 2013. The Centre would be re-branded to reflect the change from being a teen parent unit to an education centre for pupils with a range of health needs. There would continue to be an on-site nursery for the children of teenage parents and the offer would incorporate CAMHS Education and Home Tuition Services.

The establishments' staffing would see numbers reduce from seventy-five to sixty-three, which would see an efficiency shift to ensure all staff were appropriately qualified.

The financial information and risks and uncertainties associated with this proposed restructuring were set out in detail as part of the report.

Cabinet Members asked a range of questions relating to the proposals moving forward around whether this proposed restructure would improve the provision in Rotherham and ensure that Out of Authority placements

were reduced, coherent links with CAMHS, Public Health and the CCG, the phased in process and the timetable for completion, transportation allocation for pupils, identification of appropriate premises and pinchpoints to avoid gaps in provision.

Resolved:- That the existing 'five' registered pupil referral unit model in Rotherham be streamlined into a 'two' registered pupil referral unit model that more appropriately meets the needs of those vulnerable pupils who are unable to access mainstream school (as per statutory guidance).

C94 APPOINTMENT OF RECOMMENDED SPONSOR FOR THE NEW CENTRAL PRIMARY SCHOOL

Further to Minute No. 81 of the meeting of the Cabinet held on 18th September, 2013, Councillor Lakin, Cabinet Member for Children, Young People and Families Services, introduced a report by the Strategic Director of Children and Young People's Services, which detailed the success of the targeted basic need funding bid to create a new 1.5 form central primary school. Any new school carried an Academy/Free School presumption for sponsorship.

A Sponsorship Selection Panel had been convened to interview respective sponsor applicants on the 10th October, 2013, and make a recommendation to Cabinet on a preferred sponsor. The DfE must be notified by 18th October, 2013 of the appointed sponsor.

Resolved:- That the preferred sponsor 'Central Learning Partnership' be approved following the formal selection process.

(The Mayor agreed to exempt this item from the call-in process due to the short timescales of notifications to the DfE)

C95 SCRUTINY REVIEW - CHILDHOOD OBESITY

Councillor Steele, Chair of the Review Group, introduced the report which provided an overview of the workshop held by a sub-group of the Health Select Commission, with officers from various services in the Council, to consider the re-commissioning of Childhood Obesity Services in Rotherham.

This report detailed the conclusions from the workshop, which took place over two separate meetings, and made recommendations with regard to both the Service re-commissioning and to wider Council policies which should also be supportive of the work to reduce and mitigate the impact of childhood obesity.

Resolved:- (1) That all those involved with the Review be thanked for their involvement.

(2) That the Scrutiny Review of Childhood Obesity and its recommendations be noted and a response be submitted within two months as outlined within the Council's Constitution.

(3) That the decision of Cabinet on the report, recommendations and proposed action be reported back to the Overview and Scrutiny Management Board in due course.

C96 CAPITAL PROGRAMME MONITORING 2013/14 AND CAPITAL PROGRAMME BUDGET 2014/15 TO 2015/16

Councillor Wyatt, Cabinet Member for Health and Wellbeing (Finance), introduced a report by the Director of Finance which provided details of the current forecast outturn for the 2013/14 programme and enabled the Council to review the capital programme for the financial years 2014/15 and 2015/16.

The budget process that led to the original Capital Programme for 2013/14 to 2015/16 ensured that the Council's capital investment plans were aligned with its strategic priorities and vision for Rotherham.

In order to maintain that strategic link, and make best use of the capital resources available to the Council, it was important that the programme was kept under regular review and where necessary revisions be made. This programme was initially reviewed in July 2013, following the finalisation of the 2012/13 outturn capital expenditure and financing and had now been the subject of a further review, the results of which were reflected in the Directorate summary table and the detailed analysis of the programme for each Directorate as set out in detail as part of the report.

(1) Resolved:- that the report be received and the contents noted.

(2) Recommended:- That the updated 2013/14 to 2015/16 Capital Programme be approved.

C97 REVENUE BUDGET MONITORING FOR THE PERIOD ENDING 31ST AUGUST 2013

Councillor Wyatt, Cabinet Member for Health and Wellbeing (Finance), introduced a report by the Director of Finance which provided details of progress on the delivery of the Revenue Budget for 2013/14 based on performance for the first five months of the financial year. It was currently forecast that the Council would overspend against its Budget by £5.475m (+2.5%). This represented a deterioration of the forecast outturn by £0.626m since the last (May) monitoring report. The main reasons for the forecast overspend were:-

- The continuing service demand and cost pressures for safeguarding vulnerable children across the Borough.

- Income pressures within Environment and Development Services.
- Demand pressures for Direct Payments, Older People's domiciliary care services and day care for clients with Learning Disabilities.
- Additional, one-off property costs relating to the continued rationalisation of the Council's asset portfolio as part of the efficiency drive to reduce operational costs.
- Some savings targets were currently pending delivery in full in 2013/14.

As the current forecast revenue pressure was significant, and because the position had deteriorated since the last report, it was now recommended that Stage 3 of the Strategy agreed by Members from the May monitoring report to address the forecast overspend be implemented with immediate effect. This action was required to mitigate the forecast pressure and prevent it from becoming serious. This would ensure that the Council was able to deliver a balanced outturn and preserve its successful track record in managing both its in year financial performance and its overall financial resilience.

Resolved:- (1) That the current forecast outturn and significant financial challenge presented for the Council to deliver a balanced revenue budget for 2013/14 be noted.

(2) That Stage 3 of the Strategy to address the forecast overspend with immediate effect be implemented, to bring spend in line with budget by 31st March, 2014.

C98 COUNCIL TAX REDUCTION SCHEME 2014-2015

Councillor Wyatt, Cabinet Member for Health and Wellbeing (Finance), introduced a report by the Director of Finance which provided details of the operation of Rotherham's Council Tax Reduction Scheme (CTRS) for the financial year 2013/14 and outlined the policy options available to the Council in order to help determine the nature and scope of its 2014/15 Scheme. Each Council was required by legislation to formally determine and approve its Council Tax Reduction Scheme on an annual basis for implementation from 1st April. In essence, the Local Authority must decide whether to retain the current scheme or alternatively consult on a new local scheme which, for example, could set a different minimum contribution percentage from claimants.

It was considered that the transition to and implementation of the current Council Tax Reduction Scheme and Council Tax discount changes had been managed and operated smoothly drawing only very limited adverse publicity/customer complaints unlike other Welfare Reform changes e.g. bedroom tax and the benefits cap. Although collection rates were marginally down compared to previous years (as was also the experience in benchmark authorities), it was estimated (at this stage) that the challenging 97% collection rate that had been budgeted for should be achieved. In addition, the Council had avoided some of the problems

encountered by other authorities with larger Council Tax Reduction Scheme contribution levels where, for example, large demonstrations against the scheme have been made at court hearings which have attracted substantial press coverage.

The achievement of this relatively smooth transition could be largely attributed to the minimum contribution level in the Council's scheme being kept at 8.5% (less than many authorities locally and nationally). This had meant that, although many claimants were being required to pay Council Tax for the first time, the amount that they paid had proved manageable despite their limited income. For example 12.5% of working age claimants having already paid in full for the year. Additionally, the relatively low contribution level had allowed the Revenues and Benefits Service to exercise greater flexibility in resolving claimant's payment requirements which had prevented many from appearing in Magistrates Court and incurring additional costs.

Resolved:- (1) That the current Council Tax Reduction Scheme and Empty Property Discounts for 2014/15 be retained.

(2) That the loss of Council Tax Reduction Scheme transitional funding be addressed in the Medium Term Financial Strategy as part of the Council's overall funding shortfall.

C99

LIVING WAGE

The Leader introduced a report by the Director of Human Resources which provided information about the Living Wage, including the implications were Rotherham to consider adopting it.

The risks associated with adoption of the Living Wage could be summarised as follows:-

- Significant increases in direct employment costs.
- Implications for the Council's pay and grading structure.
- Potential Equal Pay implications.
- Could make Council services uncompetitive or increased costs of contracted out services (if contractors were required to pay the Living Wage).

The risks associated with the implementation of the Living Wage were set out in detail as part of the report and it was noted that discussions were to commence with Trades Unions to work through the implications of next year's significant budget challenge and any proposals coming forward.

Resolved:- (1) That the report be received and the contents noted.

(2) That the Council continue to aspire to the Living Wage and review the Council's position each year as part of the budget setting process.

C100 ADULT COMMUNITY LEARNING FEES AND FUNDING POLICY

Councillor Lakin, Cabinet Member for Children, Young People and Families Services, introduced a report by the Strategic Director of Children and Young People's Services which provided information on proposed Funding and Fees Policy for the Adult Community Learning Service in relation to these services for 2013/14.

These proposals would accommodate the changes required by the Skills Funding Agency and the Department for Business, Innovation and Skills.

The proposals would continue to support sustainability and development of the offer of Adult Community Learning in Rotherham.

Resolved:- That Fee and Funding Policy for Adult Community Learning 2013/14 be approved.

(THE CHAIRMAN AUTHORISED CONSIDERATION OF THE URGENT ITEM IN ORDER TO MAINTAIN THE APPROPRIATE TIMEFRAME FOR ANY MODIFICATIONS TO THE CORE STRATEGY)**C101 CORE STRATEGY EXAMINATION**

Councillor Smith, Cabinet Member for Regeneration and Development, introduced a report by the Strategic Director of Environment and Development Services, which sought delegated authority for the Cabinet Member for Regeneration and Development to approve public consultation on modifications to the Core Strategy arising from the examination in public.

To ensure the efficient completion of the examination and to enable the Inspector to finalise his report as soon as possible it would be important that the Council was prepared to start consultation on these modifications (should this be required) as soon as practically possible following the close of the hearing sessions.

Normally consultation on Development Plan Documents was approved by Cabinet. However, as the Main Modifications would be suggested by the Inspector to make the document sound, there was little opportunity for Members to influence these changes prior to consultation starting. The Council would still have opportunity to comment on the Modifications as part of the consultation process, along with all other interested parties.

In view of the above there was a concern that seeking Cabinet approval prior to consultation on any modifications would add further delay to the start of consultation, extend the period before the Inspector could complete his report and subsequently delay adoption of the Core Strategy.

In order to expedite the process it was requested that Cabinet Member for Regeneration and Development be granted the delegated authority to approve consultation on any proposed modifications to the Core Strategy arising from the examination. The Council's views on the Modifications could be determined during the consultation period and endorsed by Cabinet prior to submission to the inspector.

Resolved:- That delegated authority be given to the Cabinet Member for Regeneration and Development to approve public consultation on modifications to the Core Strategy following the Examination in Public.

C102 EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act (as amended March, 2006) (information relating to financial and business affairs of any particular person).

C103 RATIONALISATION OF PROPERTY ASSETS - FORMER COUNCIL OFFICES

Councillor Smith, Cabinet Member for Regeneration and Development, introduced a report by the Strategic Director of Environment and Development Services, which sought approval for the demolition of the former Council Offices at Doncaster Gate.

The benefits of demolishing the property would be that it would make the site more attractive and valuable for disposal and, crucially, it would reduce revenue maintenance costs by £90,000 per year, which would help the Council address its budget challenges. The property was in a poor condition and unsafe, partly due to vandalism damage caused since it became empty, and would cost a significant amount of money (well in excess of £1 million) to bring back into use.

There had already been an unsuccessful attempt to dispose of the site through a comprehensive marketing exercise and there were no current prospects of developing or disposing of the site while the building remained in situ.

There was a level of public interest in the future of the property and it had previously been considered for inclusion in the Rotherham Town Centre Conservation Area, and also for listing, which had been rejected by English Heritage due to the fact that the building had been altered significantly and had no special architectural or historic merit.

Consideration of the building for demolition had already met with objection from some parts of the local community who wished to see the building kept and re used due to its architectural merit and place in Rotherham's history, including:-

- Emails of objection from Ged Dempsey, Ian Broadbent, Kath Wray, Andrew Hines, Sarah Champion M.P. and Don Buxton.
- Leaflet submitted by Eileen Hyland of the Rotherham Heritage Association, which also quoted objection from Valerie Bayliss, Chair of the Victorian Society's South Yorkshire Group
- An online petition with allegedly 800 signatures, which had not yet been submitted.
- Four objections received so far on the planning prior approval notification.

Cabinet Members and one of the Ward Members were mindful of the sensitivity surrounding this property and its WWI references and noted that the site did not currently form part of the Rotherham Town Centre Conservation Area, and was not listed. Cabinet Members noted that the World War 1 plaques had been removed and were in storage. Cabinet Members did not feel able to justify retaining a building that continued to deteriorate, would cost substantial sums to bring back into use, the Council has no use for, and no-one had shown an interest in developing. The budget pressures and cuts facing the Council were such that demolition of the building would be the best option, and release money that could be best used to support local services.

Resolved:- (1) That the property should not be added to the existing Conservation Area.

(2) That the demolition of the property be approved.

(3) That the use of capital receipts to fund the demolition be approved.

C104 NEW APPLICATIONS FOR HARDSHIP RELIEF 2013/14

Councillor Wyatt, Cabinet Member for Health and Wellbeing (Finance), introduced a report by the Director of Finance which provided details of two organisations who have applied for Hardship Relief under Section 49 of the Local Government Finance Act 1988.

Cabinet Members considered the requests – one as a result of the economic climate and loss of income (7547050) and the other which would result in the removal of a crucial service which was not available elsewhere in the Borough (713987X).

Resolved:- (1) That the relief in respect of application 7547050 be refused as it required long term support, which fell outside the criteria for approving such applications.

(2) That the relief in respect of application 713987X be approved in line with previous decisions and in accordance with the policy approved at Cabinet on 24th April, 2013.

C105 NEW APPLICATION FOR DISCRETIONARY RATE RELIEF 2013/14

Councillor Wyatt, Cabinet Member for Health and Wellbeing (Finance), introduced a report by the Director of Finance which provided details of the application for Discretionary Rate Relief by the organisation which the Council's Children and Young People's Services Directorate currently worked with and supported as part of its service priority to improve reading literacy in young children and which the Director of Schools and Lifelong Learning was involved.

Resolved:- That the relief in respect of the above application be approved in line with previous decisions and in accordance with the policy approved at Cabinet on 24th April, 2013.