

**THE CABINET  
18th June, 2014**

Present:- Councillor Stone (in the Chair); Councillors Beck, Doyle, Hussain, McNeely, Rushforth, Smith and Wyatt.

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

An apology for absence was received from Councillor Lakin.

**C1            QUESTIONS FROM MEMBERS OF THE PUBLIC**

(1)     A member of the public referred to immigration being of concern to the people of this town, given the recent results in the polls and asked if the Council could give the public the true facts of how this had happened and how it had taken place.

The Leader explained that he had no true facts as to how this had happened as the Council had no control over immigration or who came to this country of even to Rotherham. The Council were not able to control benefits, but were trying, and had been criticised for it, to ensure that people were integrated and able to live together in a more harmonious way.

In a supplementary question the member of the public considered it an almost impossible task to ascertain how many had come to settle in Rotherham over the last few years and pointed out that invariably the different types of people were often grouped together and asked if the numbers also included asylum seekers.

Councillor Hussain, Cabinet Member for Communities and Cohesion, explained that the figure for asylum seekers was controlled centrally by Government and Rotherham was part of the South Yorkshire Consortium which agreed on how many could be housed in Rotherham. G4S currently had the contract for the placement of asylum seekers and discussions had taken place with them as to how many, pro rata, Rotherham could accommodate and funded accordingly.

In terms of the grouping together of different types of people it was not possible to differentiate this due to unrestricted EU migration without being disrespectful.

The Leader advised that he was part of a European Committee and if it was possible to fund the countries within Europe who were experiencing the worst hardship, then the people from these countries would have little reason to migrate or consideration should be given to funding the countries who were receiving the most people so that the services they required could be supported accordingly.

(2) A member of the public pointed out that she had written to Cabinet Members about the access problems she was experiencing at Firsby and asked if the 1996 designation of Firsby Reservoir Local Nature Reserve and the works proposed to the area would have an impact on this status?

The Strategic Director of Environment and Development Services explained that the proposed works at Firsby would not impact on this status and this was outlined in the report which was appearing later on this meeting's agenda and which would complement the fauna and flora in that area with the developments proposed. The Cabinet was to be given three options for consideration, but the nature designation of the site would not be altered in any way.

## **C2 DECLARATIONS OF INTEREST**

There were no Declarations of Interest to report.

## **C3 ROTHERHAM LOCAL PLAN STEERING GROUP**

Councillor Smith, Cabinet Member for Planning, Highways and Street Scene Services, introduced the minutes of the Rotherham Local Plan Steering Group held on 5<sup>th</sup> June, 2014.

Discussion took place on the Wildlife Site Framework Update, Archaeological Scoping Studies and the Green Belt Detailed Review.

It was also pointed out that a Local Plan drop-in session had also been arranged for Thursday, 31<sup>st</sup> July, 2014 for Elected Members and Parish Councils in the John Smith Room at the Town Hall.

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 5<sup>th</sup> June, 2014 be received.

## **C4 REVENUE ACCOUNT OUTTURN 2013/14**

Councillor Wyatt, Cabinet Member for Finance, introduced a report by the Director of Finance, which detailed how in 2013/14 the Council budgeted to spend £221.474m on its General Fund Revenue Account. Actual spending for the year was £220.440m, a saving against budget of -£1.034m (or -.47%). Of this, £0.747m was accounted for by surpluses on trading accounts, leaving a net underspend of £0.287m. (-0.13%)

Requests to carry-forward £251k of unspent 2013/14 budgets for specific projects/purposes were also included in this report. If approved the remaining balance available to support the future years' budget was £36k.

In addition, the Delegated Schools' Budget was £154.271m. Actual spend against this was £155.155m, an overspend of £0.884m for the year. This had drawn down from Schools' Reserves which at 31st March, 2014 stood at £6.456m.

The Housing Revenue Account (HRA) in 2013/14 was budgeted to draw down funding from the HRA General Reserve of £2.599m. However, use of the reserve was not required and there had been a contribution to this Reserve of £1.570m.

This was a very positive outturn, especially given the challenges faced in-year which necessitated the implementation of a moratorium on all but essential spend from October. It was the result of the hard work of both Elected Members and staff in managing reducing levels of funding at a time of increasing service need, and also the generally good and responsible financial management on the part of budget holders.

Reflecting the above outturn position, and assuming the recommendations in this report were approved, the Council's Revenue Reserves as at 31st March, 2014 were General Fund Reserves available and uncommitted to support the Budget £10.222m and Earmarked Reserves £57.031m of which £43.540m was ringfenced for HRA, Schools and to meet future PFI contractual obligations.

Resolved:- (1) That the Council's General Fund, Schools' and the Housing Revenue Account (HRA) Revenue Outturn Position Statements for 2013/2014 be noted.

(2) That the level of the Council's Revenue Reserves as at 31st March, 2014 be noted.

(3) That the carrying forward of underspends on Trading Services (£747,055) and requests for carrying forward of specific items (£251,467) in accordance with the Council's approved policy be approved.

(4) That the waiving of the Council's policy of carrying forward 20% of Directorate underspends from 2013/14 be approved.

## **C5 CAPITAL PROGRAMME OUTTURN 2013/14 AND UPDATED ESTIMATES 2014/15 TO 2016/17**

Councillor Wyatt, Cabinet Member for Finance, introduced a report by the Director of Finance, which detailed the capital outturn position for the 2013/14 financial year and recommended for approval changes to the programme for the financial years 2014/15 to 2016/17. These changes have resulted from the 2013/14 outturn and scheme changes since the overall programme was agreed in March 2014, as part of the budget setting process.

For 2013/14 the Council's capital investment into the regeneration and enhanced infrastructure of the Borough was £71.769m. The profile of this investment and the updated future expenditure plans were reflected in the Directorate summary table within the report. A detailed copy of the programme for each Directorate was also attached as appendices to the report.

The updated programme had been prepared in light of the capital resources known to be available to the Council over these financial years, and estimated on a prudent basis.

The Council was continuing to undertake a comprehensive review of its assets and buildings portfolio, with the aim to rationalise both its operational and non-operational asset holdings, which may contribute both a future capital receipt and a revenue saving.

(1) Resolved:- that the 2013/14 capital outturn position be noted.

**(2) Recommend:- That the updated 2014/15 to 2016/17 capital programme be approved.**

## **C6 TRANSFORMATION CHALLENGE AWARD**

The Leader introduced a report by the Strategic Director of Children and Young People's Services, which detailed how in late April the Government announced the availability of £105m Transformation Challenge Award grant and a further £200m capital receipts flexibility.

The purpose of this report was to provide a briefing to Cabinet on the Transformation Challenge Award and to provide detail around the bid proposal for Rotherham.

Each Local Authority was limited to one project submission, which had to be made by 1st July, 2014.

It was proposed that a bid from Rotherham be submitted to fund the development of a Multi-Agency Safeguarding Hub (MASH) underpinned by the development of a Single View of a Child Information Dashboard.

The MASH would help to bring about positive outcomes for children and young people, their families and carers through a multi-agency approach to referral, decision making, assessment and the provision of services at the right time, in the right place and by the right person.

It would focus on safeguarding children and dealing with domestic abuse. The co-location would enable agencies working with children, young people, their families and carers to work collaboratively to offer a co-ordinated response to families. This would be carried out by agencies collectively assessing need and identifying services from the point of contact, through referral and decision making to the provision of services

to safeguard children and support their families. The objective was to provide an improved 'journey' for the child or parent/carer with a greater emphasis on early intervention.

To underpin this work a "single view of a child" integrated data dashboard was proposed. The dashboard would provide an holistic view of performance across partners, underpinned by a single view of the child/family and provide the following benefits:-

- Improve the accuracy of information shared.
- Enable partners to share information more effectively and timely.
- Provide one holistic view of the child created by the information held by partner agencies.
- Provide the most up to date information about the child and family.
- Enable visible identification of the child's and families journey and where they are in the process.
- Provide a tool for the collation of partner data and the ability to monitor and manage performance against this data.

As part of the contract for the social care system with Northgate an infrastructure was purchased in 2013 which would be the basis for further developments around a single view of a child.

It was envisaged, however, that this would be rolled out wider to include the Foundation Years' Service and to support the Families for Change work (Troubled Families), it would be hoped that the IT development could then be shared (sold on) to other Local Authorities for use in their multi-agency teams.

The critical criteria to be met for the scheme related to:-

- Savings must exceed the amount of grant/capital receipt flexibility sought.
- The bid must have a positive impact on service users.
- As a minimum, bids must be in partnership with at least one other partner. This could be another local authority, public authority, the Voluntary and Community Sector or a private sector partner.
- For capital flexibility only. That the value of the asset sale was genuinely additional to those disposals that would have happened anyway.

Cabinet Members noted this initiative would deliver cash releasing efficiencies in the work with young people. The funding bid submitted by the Council would require a responsible partner to also sign up and this multi-agency approach, led by the Council, would deliver, in cost avoidance terms, significant benefits going forward.

Resolved:- That the principle of Rotherham submitting a Transformation Challenge Award bid be signed up to and for this to be developed further for submission on the 1st July, 2014.

## **C7 CHILDREN'S CENTRE CONSULTATION**

Further to Minute No. 167 of the meeting of the Cabinet held on 15<sup>th</sup> January, 2014, The Leader, introduced a report by the Strategic Director of Children and Young People's Services, which approved a request to complete a statutory public consultation in relation to proposed changes to Rotherham's twenty-two designated Children's Centres. The proposals were to:-

- Close thirteen designated Children's Centre buildings with a reduction to nine Children's Centre buildings across the Borough.
- The remaining nine Children's Centre buildings to be clustered to form seven designated registered Children Centres across the Borough with an increased size of reach areas.
- The creation of a Foundation Years' Service across health, social care and education services.

The purpose of this report was to inform Cabinet of the outcomes from the statutory public consultation, which took place between 3rd February and 30<sup>th</sup> April, 2014. The proposal would enable the Council to realise savings of £2.2 million in order to achieve the required Early Years and Child Care services revenue reductions (including Children Centres). The original budget for the Children's Centres in 2011/12 was £5.045m. The removal of the Early Intervention Grant in June, 2010 followed by a series of reductions in Central Government funding, had resulted in the Children's Centre budget being reduced. The budget for Children's Centre from April, 2015/16 would be £2,025,474.

The consultation process was extensive with fourteen formal public consultation meetings being completed across the Borough, within this period of time. Views and comments at these meetings were received from a range of attendees. These included parents and children, members of the public and local community, staff, child care providers, unions, Head Teachers, Councillors and other organisations.

In addition to the fourteen public consultation meetings, people could access and complete the online questionnaire survey on the Council's website. Completed hard copies of the questionnaire survey were also received, as well as comments via email and formal letters, reports and a powerpoint presentation. Three petitions against the closures of Children's Centres were received from three Children's Centres. People made their views known in person at a Children's Centre of their own choice. Press releases were issued and media interviews also took place. Articles were also published in a range of stakeholder newsletters in order to maximise publicity of the consultation and the proposals. A total of

1746 people responded to the on line consultation survey questionnaire. The majority of responses were from parents or carers (81.6%) and 82% are using a Children's Centre at least once a week. In addition twenty-three emails were also received and five letters.

One hundred and eighty six respondents said they would be willing to take on a centre building proposed to close, and deliver either childcare provision and/or Foundation Years services. One hundred and forty two respondents said they would be willing to take on childcare provision in a centre building proposed to close. However, it was important to note that only one hundred and one of all respondents left contact details. In addition thirty one emails/letters were also received expressing an interest in taking on a Children's Centre building and/or day care provision. Expressions of interest were made by a range of individuals, staff; schools and organisations expressing an initial interest in taking on a Children Centre building. A formal application process would be followed from the 1<sup>st</sup> July 2014.

In order that a more even geographical distribution was achieved, enabling more children and families, including the most vulnerable, to more readily access a children's centre building, further consideration needed to be given to the initial proposal.

On the basis of the rationale used throughout this public consultation; where Centre buildings were proposed to remain open (if they have more than 400 children living in the 30% most deprived SOA), the proposal should be reconsidered to include enabling a further three Children Centre buildings to remain open. This would support respondents' concerns regarding travel and equity of geographical spread of proposed centre buildings in some areas across the Borough.

The additional proposed Centres to remain open were Wath Victoria Children's Centre building (374 children living in the most 30% SOA); Dinnington Children's Centre building (352 children living in the most 30% SOA) and Park View Children's Centre building (345 children living in the most 30% SOA). These three Children's Centres were the next Centres which had the highest number of children living in the 30% most deprived SOA.

This option to increase the number of Children's Centres from the proposed nine to twelve would cost an additional £350K. To address this shortfall a further report would be brought to Cabinet assessing the options for budget adjustment, Service re-configuration and exploration of possible income generation.

If Option 2 was chosen this would result in one or more Children's Centre building being located in each of the individual seven Health locality team areas, and seven Area Assembly boundaries. This addressed some respondents' views regarding the need to align Children's Centre buildings to both Health and Area Assemblies. If Dinnington Children's

Centre building remained open, this would mean that each of the eleven deprived neighbourhood communities would have a Children Centre building. If Wath Children's Centre building remained open this would take into consideration the particularly high prevalence of disabled parents in the Wath area.

Cabinet Members pointed out that the reductions made by Central Government to the Children's Centre Grant had meant that changes had to be made going forward. However, on the evidence of the concerns expressed and the receipt of the 6,000 signature petition received by the Leader of the Council prior to the meeting taking place, increasing the number of Children's Centre buildings from nine to twelve would raise the number of families and children able to access a Children's Centre building in their locality, including the most vulnerable.

Resolved:- That the proposal of retaining three additional Children Centre buildings Wath Victoria Children's Centre (Wentworth North); Dinnington Children's Centre (Rother Valley South) and Park View Children's Centre (Rotherham North) in addition to the original proposal be approved.

#### **C8 SCRUTINY REVIEW - IMPROVING ACCESS FOR YOUNG PEOPLE SEEKING HELP AND SUPPORT AROUND SELF HARM**

Further to Minute No. 234 of the meeting of the Cabinet held on 9<sup>th</sup> April, 2014, the Leader, introduced the report by the Strategic Director of Children and Young People's Services which provided the response to the ten recommendations made by the Youth Cabinet to improve young people's access to appropriate help and support around self-harm and offered a way forward that would develop a holistic approach through both strategies, training and service delivery.

The focus of the review's recommendations which were all accepted and agreed by partners was to develop clear and concise information that would improve young people's access to services. It was also recommended that a more integrated approach at a strategic level was established to ensure that young people received an appropriate and timely intervention through clear pathways and protocols.

Resolved:- (1) That the response to the Youth Cabinet Scrutiny recommendations be approved.

(2) That everyone involved in this review, especially the Youth Cabinet, be thanked for their input.

(3) That the response to the Scrutiny Review be submitted to the next available meeting of the Overview and Scrutiny Management Board.

**C9 LOCAL FLOOD MANAGEMENT RISK STRATEGY**

Further to Minute No. 101 of the meeting of the Cabinet Member for Regeneration and Development Services held on 4<sup>th</sup> March, 2013, Councillor Smith, Cabinet Member for Planning, Highways and Street Scene Services, introduced a report by the Strategic Director of Environment and Development Services, which approved the Council's Draft Rotherham Local Flood Risk Management Strategy (the Strategy) for consultation.

The draft Strategy had been forwarded to the Council's partners, stakeholders and communities for consultations, and had been amended where necessary.

The Flood Risk Regulations 2009 implemented the requirements of the European Floods Directive, which aimed to provide a consistent approach to managing flood risk across Europe. The regulations imposed new duties on the Council as the Lead Local Flood Authority (LLFA) for Rotherham, including the responsibility for managing local flood risk in particular from ordinary watercourses, surface runoff and groundwater.

Under the requirements of the Flood Risk Regulations 2009 and the Floods and Water Management Act 2010, the Council's key new roles and responsibilities were as follows:-

- Duty to produce a local flood risk management strategy for the Rotherham area.
- Ability to work with other risk management authority regarding flood risk.
- Duty to exercise and carry out works in accordance with the national flood and coastal erosion risk management strategy and relevant local flood risk management strategies.
- Provide strategic leadership and partnership between lead local flood authorities and other risk management authorities.
- Duty to co-operate and provide information with other risk management authorities.
- Power to carry out works to manage flood risk from surface runoff or groundwater.
- Power to arrange for a flood risk management function to be transferred to another risk management authority.
- Power to request information from other key agencies and landowners in connection with its flood management functions.
- Duty to act as the co-ordinator for the investigation of flood incidents and publish the results on the Council's website.
- Duty to establish and maintain a register of drainage assets/ features and a register of structures/features which it considers are likely to have a significant effect on local flood risk.
- Power to designate features or structures that affect flood risk which places legal responsibilities on the owner of the asset to manage.

- Power to formally consent and/or approve works within Ordinary Watercourses which includes all temporary and permanent works.
- Duty to promote and manage Sustainable Drainage.
- Duty to establish a Sustainable Drainage Systems (SuDS) Approving Body (SAB), which will have the power to approve, supervise, adopt and maintain SuDS, and how surface water is managed on new development sites.
- Duty to contribute towards the achievement of sustainable development.

The Flood and Water Management Act required the Council to ensure that adequate scrutiny arrangements were put in place to review, scrutinise and approve the Council's Local Flood Risk Management Strategy for Rotherham.

The draft strategy was presented to the Council's Overview and Scrutiny Management Board on the 8<sup>th</sup> February, 2013 where it was recommended that the Strategy be forwarded onto the Cabinet for approval.

The Strategy would be reviewed and scrutinised on a six yearly cycle as a minimum. The Strategy was a 'living' document and a duty of the Council to update and amend the Strategy year on year, for example in response to changes in legislation, actual data following a major flood event, new asset data, resource and funding opportunities etc.

Resolved:- (1) That the final Strategy be approved.

(2) That the publication of the final Strategy be approved.

(3) That the periodic update and publication of the Strategy be approved.

## **C10 FIRSBY RESERVOIR**

Councillor Smith, Cabinet Member for Planning, Highways and Street Scene Services, introduced a report by the Strategic Director of Environment and Development Services which sought approval for a range of further works at Firsby Reservoir following on from the urgent works in December, 2012.

Further background information and the proposals going forward were referred to and set out in detail as part of the report.

A range of other measures were proposed, linked, to a greater or lesser to the lowered water level following the emergency works, and conversely to a greater or lesser extent to lack of recent maintenance, but all helping to reassure users of the site of Council's continued commitment to the site as well as minimise ecological impact. These included:-

- Scalloping of the shoreline of the larger lake to create opportunities for wading birds.
- Importing large boulders to the downstream area of the new spillway to help protect the spillway sides and the receiving watercourse, and also to prevent quad bikes and similar from damaging the spillway sides and gaining general access to the site.
- Eradication of self set willows from around both reservoirs and the dams.
- Removing developing scrub on acid grassland below the small dam which will assist with future access to the dam crest.
- Thin developing alder and oak on the water body margins and at the upstream areas of the site where the watercourses enter.
- Hedgerow management especially along footpaths
- Screening especially along north eastern edge of larger reservoir to lessen disturbance to loafing wildfowl, particularly Teal, in winter.

The above measures together with associated management in the long term would create a new ecological mosaic of habitats that would support a good range of bird species and other wildlife. Despite a small number of breeding bird species likely to be lost due to the reduction in open water area, the new layout would support existing and new species.

Discontinuance of the reservoir in this form would mean that health and safety legislation in respect of open water bodies would still need to be complied with. The majority of the structures associated with the reservoirs would also be retained and need to be maintained (in regard to the bridges) and kept visible with restricted public access (in regard to spillway and channel walls with drops behind).

Cabinet Members welcomed the opportunity to complete the works to Firsby Reservoir, given this site's ecological attraction.

Resolved:- (1) That Firsby Reservoir be approved to be retained in its current form (subject to any required minor works) and certification to be sought to have the reservoir 'discontinued' under the Reservoirs Act 1975.

(2) That the appointment of a Qualified Civil Engineer to formally approve the further works required for the 'discontinuance' of the reservoir be approved.

(3) That the minor works required be approved and for a range of mitigation works associated with the discontinuance and for works to improve access, to remove silt from the reservoir, and other minor associated works.

(4) That a maximum of £125,000 of expenditure to fund items i) to iii) above be approved. The associated borrowing costs of £25,000 of this expenditure to be met by the Service, using the identified savings, and the associated borrowing costs of up to £100,000 expenditure to be met corporately.

(5) That a further report be brought to Cabinet should early contractor involvement indicate any significance variance in the estimated cost of the further works becomes apparent.

**C11 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs).

**C12 CAPITAL PROGRAMME - CAPITAL RECEIPTS UPDATE**

Councillor Wyatt, Cabinet Member for Finance, introduced a report by the Strategic Director of Environment and Development Services, which highlighted changes to the forecast of capital receipts.

Over the last three years (2011/12 to 2013/14) the total capital receipts achieved by Asset Management was £16.1m. Additionally, in 2014/15 receipts of £0.86m have already been achieved and a further £10.4m was anticipated to be completed by the financial year end. This level of receipts substantially helped the Council address its budget challenges by reducing the amount of borrowing needed to finance the Council's activities.

Resolved:- That the position on capital receipts be noted.