

THE CABINET
Monday, 20th January, 2020

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

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

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC

A question was received from Councillor Cutts in respect of Agenda Item 10 (Designation of Selective Licensing Areas 2020-25) regarding the lack of police involvement in this area of work and he indicated that he did not fully understand the proposals. In response, the Leader of the Council indicate that the Cabinet Member for Housing would be happy to meet with him separately to provide more information on this matter

3. MINUTES OF THE PREVIOUS MEETING

Resolved:-

That the minutes of the previous meeting of the Cabinet held on 23 December 2019 be approved as a true and correct record of the proceedings.

4. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:-

That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the Agenda Items 9, 10 and 11 on the grounds that the appendices involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

5. COUNCILLOR REPRESENTATION ON OUTSIDE BODIES – APPOINTMENT TO CITIZENS ADVICE ROTHERHAM

Consideration was given to a report which was submitted to seek approval to appoint Councillor Victoria Cusworth as the Councils' representative on the Board of Trustees for Citizens Advice Rotherham.

It was reported that following the resignation of Councillor Steele as the authority's representative on the Board of Citizens Advice Rotherham, a nomination had been received to appoint Councillor Cusworth to the vacancy.

Resolved:-

1. That Councillor Victoria Cusworth be appointed as the Council's representative on the board of Rotherham Citizens Advice Bureau for the remainder of the 2019-20 municipal year.

6. CONSULTATION AND ENGAGEMENT ON A LIBRARY STRATEGY AND FUTURE SERVICE DELIVERY MODEL

Consideration was given to a report which summarised the initial consultation and engagement undertaken on the development of a new Library Strategy for the period 2020 – 2025. It also detailed the proposed draft Library Strategy, setting out the vision, mission, key principles and core offer for the future service.

It was reported that the draft strategy had been developed following an analysis of local need for the service, feedback received during the consultation and engagement and the Local Government Association Peer review. This report also identified a range of improvements and efficiencies connected to the Library Strategy implementation.

The report sought approval to go out to a final phase of consultation and engagement from 3 February 2020 to 26 April 2020, a period of 12 weeks. Feedback from this consultation and engagement would then inform a final version of the Library Strategy, including a service offer and any associated budget savings which would be presented back to Cabinet and Council for consideration.

Specific proposals for the strategy included:-

- the retention of libraries at 15 locations, the vehicle-based service and Schools Loan Service;
- the positioning of libraries as essential community and cultural hubs, a first point of contact for Council services, partners and residents in neighbourhoods.
- investment of capital funding to improve every library and its provision across the borough.
- improved I.T. provision to support self-service, online and assisted digital service delivery;
- co-location of libraries with other services at sites including Kiveton Park and Thurcroft;
- development option for a new town centre library;
- pilot of a community managed delivery model at Brinsworth;
- relocation of Swinton library as part of the wider regeneration of the town centre.

Resolved:-

1. That the results of the public consultation and engagement on the future service delivery model and the Peer review for the Libraries Service be noted.
2. The needs assessment, which brings together all the research, consultation and engagement undertaken to date, be noted.
3. That a final phase of consultation and engagement be undertaken in respect of the draft Library Strategy 2020 – 2025 and associated service offer.
4. That the draft Library Strategy 2020–2025 for the final phase of consultation and engagement is approved.
5. The final version of the library strategy 2020 – 2025 and associated service offer including improvements and efficiencies be presented back to Cabinet and then Council for consideration following consultation and engagement.
6. That the Service continues to engage with the Department for Digital, Culture, Media and Sport (DCMS) in relation to any proposed changes to service provision.

7. ETHICAL PROCUREMENT POLICY

Consideration was given to a report which introduced the Ethical Procurement Policy, which set out a range of measures and policy decisions / commitments that have been taken by the Council over the years (including the recent Social Value Policy) to achieve this and drive ethical practice, with the aim to encompass this into one comprehensive policy.

In presenting the policy, the report explained that ethical behaviour was at the core of the Council's procurement activity and the Council expected the suppliers it does business with to share similar values and ethical ethos in the way they deliver their services.

It was noted that the Overview and Scrutiny Management Board had reviewed the report at its meeting on 15 January 2020 and had made the following recommendations, which were agreed by Cabinet:-

- That when engaging with external contractors, arrangements be made to ensure that ethical outcomes are effectively captured and presented in an annual report to be published on the Council's website

- That, with regard to corporate policy review mechanisms within the authority, such reviews be undertaken on a three yearly cycle, unless a statutory or previously agreed local framework has already been prescribed.

Resolved:-

1. That the Ethical Procurement Policy be approved.
2. That when engaging with external contractors, arrangements be made to ensure that ethical outcomes are effectively captured and presented in an annual report to be published on the Council's website
3. That, with regard to corporate policy review mechanisms within the authority, such reviews be undertaken on a three yearly cycle, unless a statutory or previously agreed local framework has already been prescribed.

8. YORKSHIRE PURCHASING ORGANISATION – INVESTMENT OPPORTUNITY

Consideration was given to a report which detailed a potential investment opportunity in respect of the Yorkshire Purchasing Organisation, of which Rotherham MBC was one of thirteen members.

It was reported that the Yorkshire Purchasing Organisation (YPO) had agreed to purchase Findel Education Ltd, subject to Competition and Markets Authority approval. Members noted that the YPO would fund the acquisition via a loan provided by Wakefield Council, underwritten by the 13 local government member authorities. As one of thirteen local government member authorities who wholly own YPO (a Founder Member), the Cabinet was asked to determine whether to enter into a Supplemental Agreement which underwrote, alongside other Founder Members, the loan for the acquisition and in doing so also secure its status as a Founder Member with preferential dividend returns. It was reported that the Supplemental Agreement safeguarded the position of the Founder Members by effectively amending the Management Agreement in that any Authority serving notice to leave YPO during the ten year loan period would accept a contingent liability for an equal share of the loan outstanding at that time to be paid if YPO was later wound up and assets are insufficient to cover the liability. In return, the Supplemental Agreement would ring fence an additional element of the dividends to be paid to Founder Members annually, over and above the existing dividend, providing that the venture was successful.

It was further reported that the other twelve Founder Member Authorities had formally approved the signing of the Supplemental Agreement and, as such, the decision of the YPO Management Committee to purchase Findel Education Ltd legally amended the Management Agreement to include all Founder Members in the financial risk of the acquisition. It was noted that in the event of the Council not wanting to share in underwriting the loan and the benefits from the investment, it could choose to revert to Associate Member status and still receive dividends but at a significantly reduced level.

Resolved:-

1. That Cabinet agrees that Rotherham MBC remain as a Founder Member of YPO, and in doing so agrees to underwrite the loan through entering into the Supplemental Agreement.
2. That Cabinet delegates authority to the Strategic Director of Finance and Customer Services to approve and sign the Supplemental Agreement set out at Appendix 4.

9. DESIGNATION OF SELECTIVE LICENSING AREAS 2020-2025

Consideration was given to a report which sought to designate areas of Parkgate and Thurcroft for mandatory Selective Licensing of private rented housing.

It was reported that on 10 June 2019, the Cabinet had agreed that public consultation be undertaken on the proposed designation of parts of Maltby, Dinnington, Eastwood/Town centre and Masbrough, for mandatory Selective Licensing of private rented housing. As such, the report provided detail of the feedback from the consultation. The majority (62%) of respondents expressed support for a mandatory selective licensing scheme. Consequently, the report recommended that those areas should be designated as Selective Licensing areas. At the same meeting in June 2019, the Cabinet agreed to the proposed designation of parts of Parkgate and Thurcroft, subject to confirmation by the Secretary of State for Housing, Communities and Local Government. The report further described the progress made with the application to the Secretary of State, regarding the declaration of Mandatory Selective Licensing in Parkgate and Thurcroft and, given the changed position since June 2019, recommended proceeding with the implementation of Selective Licensing in those areas.

It was noted that the Overview and Scrutiny Management Board had reviewed the report on 15 January 2020 and had made the following recommendations:-

- That consideration be given to the presentation of data in a user friendly format when summarising findings from public consultation or other complex numerical or statistical information, with the

preferred approach being the style used to present data in Council Plan Performance reports.

- That arrangements be made to ensure that local Ward Members are briefed by officers ahead of any future consultations conducted by the Council that affect specific wards and councillors be provided with information to circulate to residents through ward surgeries and ward bulletins.
- That the findings of the review of the arrangements for Little London in Maltby be submitted to Overview and Scrutiny Management Board prior to any final decision to proceed with designation or to continue with such arrangements.

Resolved:-

1. That Cabinet note the strong evidence and public support for the Selective Licensing of Private Rented properties.
2. That Cabinet designate the areas in Eastwood and the Town centre, Masbrough (as amended by consultation), Maltby South East and Dinnington as detailed in Appendix 6 of this report, as Mandatory Selective Licensing Areas under Part 3 of the Housing Act 2004.
3. That approval be given to proceed to implementation with the agreed designation of Thurcroft and Parkgate, given the overall Selective Licensing area is now under the 20% threshold and no longer requires Secretary of State approval.
4. That Cabinet approve that Little London does not progress to designation, and that alternative arrangements will be tested and reviewed after one year.
5. That the following recommendations from Overview and Scrutiny Management Board be approved:-
 - i) That consideration be given to the presentation of data in a user friendly format when summarising findings from public consultation or other complex numerical or statistical information, with the preferred approach being the style used to present data in Council Plan Performance reports.
 - ii) That arrangements be made to ensure that local Ward Members are briefed by officers ahead of any future consultations conducted by the Council that affect specific wards and councillors be provided with information to circulate to residents through ward surgeries and ward bulletins.

- iii) That the findings of the review of the arrangements for Little London in Maltby be submitted to Overview and Scrutiny Management Board prior to any final decision to proceed with designation or to continue with such arrangements.

10. SWINTON TOWN CENTRE REDEVELOPMENT: PREFERRED PROPOSAL AND DEVELOPER APPOINTMENT

Consideration was given to a report which provided an update on the outcome of the procurement process and summarised the preferred option for the redevelopment of part of Swinton town centre. It outlined the implications for the Council and recommended endorsement of the preferred option and appointment of the successful bidder.

Resolved:-

1. That Cabinet endorse the preferred proposal (option 1) and the appointment of the successful bidder.
2. That authority be delegated to the Council's Property Officer, in consultation with the Strategic Director of Finance and Customer Services, the Head of Legal Services and the Cabinet Member for Jobs and the Local Economy, to agree any land disposal required, the appointment of the preferred bidder and finalise the development agreement.

11. BT PROPOSALS TO PERMANENTLY REMOVE THE PUBLIC PHONE BOX ADJACENT TO 268 KIMBERWORTH ROAD AND 33 PHONE BOXES ACROSS THE BOROUGH

Consideration was given to a report submitted for information which detailed two decisions taken by officers under delegated powers in respect of proposals from BT to remove the public phone box adjacent to 268 Kimberworth Road and, as a separate process, to remove 33 public phone boxes across the borough.

It was reported that, following two periods of public consultation and in line with Ofcom guidance, delegated decisions were made by the Assistant Director (Planning Regeneration and Transport) on the proposals. The decision on the phone box adjacent to 268 Kimberworth Road was to consent to its closure and removal. The decision on the 33 phone boxes was to consent to the closure and removal of 12 phone boxes, but to retain 21 phone boxes under the local veto.

Resolved:-

1. That the decision consenting to the closure and removal of the BT phone box adjacent to 268 Kimberworth Road be noted.

2. That the decision regarding the 33 phone boxes consenting to the closure and removal of 12 BT phone boxes, but to retain 21 BT phone boxes under the local veto be noted.

12. 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.

13. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next meeting of the Cabinet be held on Monday 17 February 2020. commencing at 10.00a.m. in Rotherham Town Hall.